



City Council Meeting

Monday, December 13, 2021 at 6:00 pm

Meeting Location

320 N Main St. Falls City, OR 97344 (or Web Application, in writing)

How to Attend and/or Participate:

1. In Person: 320 N Main St. Falls City, OR 97344

2. Web Application: [Zoom Webinar](#)

a. You will be muted but may “raise your hand” to indicate you wish to comment during Public Comments.

3. Write-In: Using regular mail or email.

a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

The City of Falls City does not discriminate in providing access to its programs, services, and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 503.787.3631 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.

1. CALL TO ORDER & ROLL CALL

TJ Bailey, Mayor___ Dennis Sickles ___ Lori Jean Sickles___

Jennifer Drill ___ Tony Meier___ Amy Houghtaling___ Martha Jirovec___

2. PLEDGE OF ALLEGIANCE

3. MOTION TO ADOPT THE ENTIRE AGENDA

4. ANNOUNCEMENTS, APPOINTMENTS, APPRECIATION, PROCLAMATIONS

a. Proclamation Polk County Savers

5. COMMUNITY & GOVERNMENT ORGANIZATIONS

a. Falls City Public Works Report

b. Falls City Fire Report

c. Polk County Sheriff's Report

6. REPORTS

- a. Mayor
- b. Council
- c. Manager Report

7. CONSENT AGENDA

- a. Approval of the Bills

8. PUBLIC COMMENTS & LETTER COMMUNICATIONS

In order to encourage an environment of openness, courtesy and respect for differing points of view, please refrain from behavior that is disruptive to the meeting such as making loud noises, clapping, shouting, booing, or any other activity that disrupts the orderly conduct of the meeting. Abusive language will not be tolerated.

Please limit your commentary to five (3) minutes or less.

9. NEW BUSINESS

- a. Variance for Backroads Brew
- b. Supplemental Budget 2
- c. TextmyGov
- d. Broadband Access in Falls City
- e. Heating & Electrical Upgrades to Luckiamute Clinic

10. OLD BUSINESS

- a. Land for Sale

11. CITIZEN COMMITTEES

- a. Parks & Recreation, Public Works, Historic Landmarks are all back to in person meetings located at the Community Center.

12. GOOD OF THE ORDER

13. Executive Session

The City Council of Falls City will now meet in executive session pursuant to ORS 192.660(2)(i), which allows the Council to meet in executive session to review and evaluate the performance of an officer, employee, or staff member if the person does not request an open meeting.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed to disclose nothing from the session, except to state the general subject of the session as previously announced. No decision may be made in executive session.

[Conduct City Manager review and evaluation]

14. ADJOURN

Posted December 10, 2021: Frink's, City Hall, Community Center, Falls City Website

City of Falls City

Proclamation

Whereas: Polk Cemetery Savers generously donated their time in 2020 by helping clean up Falls City's Lower Cemetery; and,

Whereas: Polk Cemetery Savers have continued their commitment to helping Falls City by beginning the clean-up of the Upper Cemetery; and, finally,

Whereas: This proclamation serves as but a small token of our appreciation for the generous work this group has done for Falls City.

Now, Therefore, Be It Proclaimed that I, TJ Bailey, by virtue of the authority vested in me as Mayor of Falls City, in the State of Oregon, do hereby proclaim that the City of Falls City is grateful to Polk Cemetery Savers for their service to the Falls City Community.

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Falls City to be affixed on this 13th day of December, 2021.

TJ Bailey , Mayor

Council Packet for December Meeting
Falls City Fire and EMS Report
for the Month of November, 2021

Greetings to everyone!

I hope this finds you and your families all safe and well.

The fire department has had a few volunteers out with minor illnesses as expected this time of year, as well as effects of some COVID infections and or quarantines. Everyone is doing better and on their way back to good health hopefully soon. Fortunately, we have been able to respond to all our calls as always. We had a big house fire in November. Both Dallas Fire and Polk 1 Fire assisted us with that fire which began in late afternoon and went well into the early morning hours the next day. Fire control was greatly hampered by the owners large amount of home contents inside, as well as out doors contents up against the house and all around the yard. Another testimony as to how important our code enforcement guidelines and public education are for fire safety and fire/medical response and access to the actual emergency are.

We held a new EMR class last month. I am pleased to announce that all 3 of our volunteers passed the class with high scores. We are now in the process of getting them state certified and licensed with Oregon Health Authority. To date, we have one application that has come back approved, after all of the back ground checks have been completed. I expect to hear any day on the others as well. They are all fire fighters as well and have been assisting on medical calls. Once fully licensed they will be working with mentors for awhile to give them more experience.

December is a rewarding month for the volunteers with our many activities for Christmas, from our annual Toys for Tots Toy drive, Santa visits to the schools, Santa deliveries to the children's homes and the annual food box for Christmas Cheer.

Our fire and EMS calls have remained steady.

The breakdowns for November are as follows:

Call Type	In Town	Out of Town
House Fires Major	1	
House Fire Minor	2	
MVA's		1
MVA Fire		1
Medical	5	1
Lift Assist		1
Burn Complaint	1	
False Alarm	1	1
TOTALS:	10	5
TOTAL CALLS FOR NOVEMBER = 15		

THANK YOU FOR ALL YOUR HARD WORK, CONTINUED EFFORTS AND SUPPORT FOR OUR COMMUNITY AND FIRE DEPARTMENT! WE WISH YOU A VERY MERRY CHRISTMAS & HAPPY HOLIDAYS! MAY YOU BE BLESSED IN EVERY WAY FOR THE COMING NEW YEAR!

Sharon Volk Greve
Assistant Chief, Falls City Fire

October 2021 Falls City Stats

Falls City Calls for Service					
Alarm	2	DUII		Hit and Run	1
Assault		Driving Comp	2	Noise	
Animal	3	Domestic Dist	3	Misc Crime	1
911 Hangup	1	Drug		EDP	3
Assault		FIR		Ordin Vio	
Assist Other Agency	3	Fire/EMS	4	Overdose	
ATL (attempt to locate)		Follow up	4	prowler	
Burg		Fraud	1	runaway	
Citizen Contact	5	Found Person		sex offense	1
Civil Paper Service	6	Gen Disturb		Shots Fired	
Crim Misch	3	Harassment		Stolen Veh	
				Susp Activity	4
				Susp Person	1
				Susp Vehicle	
				Theft	1
				Trauma	
				traffic assist	3
				Traffic Stops	
				Trespass	1
				Warrant	
				Welfare Check	6
				Unclass	3

Falls City Calls for Service	62	Of the FC Calls for Service	17	involved crimes	
Total Calls for Service (county wide)	1584	FC Cases Cleared by Arrest	2	11.8%	clearance
Falls City % of Total Calls	3.9%	Total Arrests in Falls City	2	3.5%	of total arrests

Total Service Calls (Polk County)	1584				
	183	Crimes Occ		Junvenile Arrests	1 (county wide)
Cases Cleared by arrest	124	67.8%		Juvenile Arrests	1 (Falls City)
Total Arrests (county wide)	57			(only true crimes reported here)	

November 2021 Falls City Stats

Falls City Calls for Service					
Alarm		DUII		Hit and Run	
Assault		Driving Comp		Noise	2
Animal	6	Domestic Dist	5	Misc Crime	1
911 Hangup		Drug		EDP	4
Assault		FIR	1	Ordin Vio	3
Assist Other Agency	4	Fire/EMS	4	Overdose	
ATL (attempt to locate)		Follow up	1	prowler	
Burg		Fraud	1	runaway	
Citizen Contact	6	Found Person		sex offense	
Civil Paper Service	8	Gen Disturb	1	Shots Fired	1
Crim Misch		Harassment		Stolen Veh	
				Susp Activity	4
				Susp Person	1
				Susp Vehicle	1
				Theft	1
				Trauma	
				traffic assist	
				Traffic Stops	4
				Trespass	
				Warrant	
				Welfare Check	1
				Unclass	1

Falls City Calls for Service	61	Of the FC Calls for Service	10	involved crimes	
Total Calls for Service (county wide)	1464	FC Cases Cleared by Arrest	4	40.0%	clearance
Falls City % of Total Calls	4.2%	Total Arrests in Falls City	4	7.1%	of total arrests

Total Service Calls (Polk County)	1464				
	164	Crimes Occ		Junvenile Arrests	1 (county wide)
Cases Cleared by arrest	56	34.1%		Juvenile Arrests	0 (Falls City)
Total Arrests (county wide)	56			(only true crimes reported here)	



City of Falls City
299 Mill Street
Falls City, OR 97344
Ph 503.787.3631

City Manager's Report November 8, 2021

Introduction

As we approach the end of another COVID-impacted year, it's hard not to feel a bit discouraged by all of the progress, and unfortunate regress when it comes to our ability to lead a normal, pre-COVID life. Since our last council meeting, 2 of our staff have either left us, or decided to move on and our already small organization has had to work extra hard to ensure that our service to the community stays at its high level. With staff changes, there are always growing pains, but if there's anything that I've learned in the year that I've worked in this community, is that through thick and thin, Falls City comes through.

Wastewater Project – I have been continuing to attend the regular meetings with the multi-organizational team putting together the ultimate application for financing through USDA-RD. Thanks to the unprecedented federal funding from the American Recovery Plan Act, the city will receive funds that can help in paying for the various required assessments for USDA-RD funding of the project. Thanks to these funds, and the approved CDBG grant dollars we will receive for this project, we are moving forward with the Preliminary Engineering Report (PER). This planning document is required by state and federal funding agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. In addition, based on guidance from our state and federal partners, we will apply part of the CDBG funding to pay for USDA's Cultural Resource Survey, and the USDA SEARCH grant to pay for the aforementioned PER. This will ensure that all grant funding options available to the city are applied for eligible portions of the project, in order to meet all state and federal requirements. Once these milestones are completed, the project will move out of the design phase into the construction phase with a bidding process aimed at the next construction cycle. The work to complete the required assessments for USDA's RD funding has begun in earnest and is proceeding according to plan. Our city's contract engineers are overseeing these tasks with their subcontractors and are keeping all of the funding agencies apprised of their progress at the monthly meetings. Based on the current timetable, the next milestone is for the PER to be completed in early 2022, for submission to USDA for their review. In a related note, my presentation to the Polk County Board of Commissioners to request ARPA funding assistance for a facilities plan to expand the wastewater treatment facility to encompass the entire city was met with support from the board. The next steps will be to identify (through ARPA regulations) whether Polk County will use the funds to directly pay for the engineering work benefiting Falls City, or to pass the funds to the engineers through Falls City.

Note: If you have questions/concerns, please respond to me individually by email, phone, or in person. This way we avoid violating any public meetings laws with a "reply all" response, or multiple councilors discussing on the same thread.

Luckiamute Clinic Business Space – We are continuing talks with Salem Health to see if they can provide direct health and wellness and/or telemedicine services to Falls City, and in the meantime are partnering with them on their monthly health fairs that, among other health services, bring vaccinations to our small community. As mentioned in previous reports, all of the separate rooms in the back of the clinic, as well as the upstairs are now occupied, we are dealing with the challenge of an old building during the fall & winter months. Heating and electrical issues have been brought to our attention by tenants and City Hall is now working on ensuring proper power and heating service to the building.

Code Enforcement & Municipal Court – No update on when Dallas will be able to resume the Code Enforcement contract at this time.

Towing Services – Though the Code Enforcement program is on hold for the moment, work to ensure that the community is ready for its resumption, is ongoing. Discussions with the Falls City School District and Myers towing have begun with a view of having an agreement ready for when the code enforcement process is ready to resume. As abandoned and inoperable vehicles is one of the high priority non-compliance issues that affects the health and safety of residents, city staff and school district staff will work to ensure we are ready to deal with them in the coming months, especially as the Code Enforcement program ramps back up.

Emergency Escape Routes out of Falls City – City staff, including the City Manager, Fire Chief and Deputy Fire Chief, have been in contact with Polk County's Emergency Manager to begin discussions on what a Falls City EOP (Emergency Operations Plan) might look like, vis-à-vis the County EOP's Plan. Falls City staff has not yet met with Polk County's Public Works Director (or his designee), a Sheriff's Office representative (as they oversee evacuations), and Polk County's Emergency Manager to further discuss a potential EOP alignment/collaboration, but look forward to doing so in the coming weeks.

Sincerely,

A handwritten signature in blue ink, appearing to read "AJ Foscoli". The signature is stylized with a large, looped initial "A" and a cursive "Foscoli".

AJ Foscoli

City of Falls City
Paid Bills Report
As of November 8, 2021

Date	Memo	Account	Class	Amount
CIS Trust				
07/26/2021	Inv FLC GASB75 2018 Final	Accounts Payable		-15,939.94
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	300.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	6,700.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	1,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	400.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	11 STREET FUND	1,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	20 WATER OPERATING ...	3,000.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	13 SEWER FUND	2,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Professional Services	SHARED SERVICES	39.94
Total CIS Trust				0.00
City of Dallas				
11/08/2021	INV03331	Accounts Payable		-300.00
11/08/2021	October Street Sweeping	Professional Services	11 STREET FUND	300.00
Total City of Dallas				0.00
Frink's General Store				
11/08/2021	Invoice 10221	Accounts Payable		-62.57
11/08/2021	Spray Hose	Equipment O & M	20 WATER OPERATING ...	8.69
11/08/2021	Paint,Pressure Regulator ...	Equipment O & M	20 WATER OPERATING ...	23.07
11/08/2021	Plumbing Water Ser.	Equipment O & M	20 WATER OPERATING ...	15.98
11/08/2021	Pipe & Tape Putty	Equipment O & M	20 WATER OPERATING ...	3.78
11/08/2021	Bulbs	Equipment O & M	01 GENERAL FUND:01.0...	5.98
11/08/2021	"C" Batteries 3X 1.69	Equipment O & M	01 GENERAL FUND:01.0...	5.07
Total Frink's General Store				0.00
Great American Financial Services				
11/08/2021	Inv330306164	Accounts Payable		-189.00
11/08/2021	Copier Lease Payment 10/...	Professional Services	01 GENERAL FUND:01.0...	189.00
Total Great American Financial Services				0.00
Hach Company				
11/08/2021	HACH INV 12698027 INV	Accounts Payable		-568.85
11/08/2021	Pocket Pro, PH Tester	Operational Expenses	20 WATER OPERATING ...	111.00
11/08/2021	Freight Charges	Operational Expenses	20 WATER OPERATING ...	69.95
11/08/2021	Clorine Free CL17	Facilities O & M	20 WATER OPERATING ...	387.90
Total Hach Company				0.00
KAMIND IT, Inc.				
11/08/2021	1121-1023	Accounts Payable		-172.00
11/08/2021	10/22/2021 Ofc 365	Professional Services	01 GENERAL FUND:01.0...	172.00
Total KAMIND IT, Inc.				0.00
Luckiamute Auto Body				
11/08/2021	Inv 1460	Accounts Payable		-90.00
11/08/2021	Tool Handle Tube Rack P...	Professional Services	11 STREET FUND	30.00
11/08/2021	Tool Handle Tube Rack P...	Professional Services	20 WATER OPERATING ...	30.00
11/08/2021	Tool Handle Tube Rack P...	Professional Services	13 SEWER FUND	30.00
Total Luckiamute Auto Body				0.00

City of Falls City
Paid Bills Report
As of November 8, 2021

Date	Memo	Account	Class	Amount
MNOP				
11/08/2021	Oct. 21 statement	Accounts Payable		-78.23
11/08/2021	Inv CL 19568-IN	Equipment O & M	01 GENERAL FUND:01.0...	78.23
Total MNOP				0.00
Net Assets Corporation				
11/08/2021	66-202110	Accounts Payable		-14.00
11/08/2021	Lien Searches Oct '21	Professional Services	01 GENERAL FUND:01.0...	14.00
Total Net Assets Corporation				0.00
Office Craft				
11/08/2021	Inv #1729	Accounts Payable		-60.85
11/08/2021	B/W & Color Copies	Facilities O & M	01 GENERAL FUND:01.0...	13.43
11/08/2021	B/W & Color Copies	Facilities O & M	01 GENERAL FUND:01.0...	47.42
11/08/2021	Inv #1729 Inv#1847	Accounts Payable		-207.66
11/08/2021	B/W & Color Copies	Facilities O & M	01 GENERAL FUND:01.0...	27.64
11/08/2021	B/W & Color Copies	Facilities O & M	01 GENERAL FUND:01.0...	180.02
Total Office Craft				0.00
Oregon Association of Water Utilities				
11/08/2021	31892	Accounts Payable		-3,500.00
11/08/2021	Water Operator of Record ...	Professional Services	20 WATER OPERATING ...	1,500.00
11/08/2021	Wastewater Operator of R...	Professional Services	13 SEWER FUND	2,000.00
Total Oregon Association of Water Utilities				0.00
Oregon Department of Forestry				
11/08/2021	22144	Accounts Payable		-196.71
11/08/2021	fire protection for land, inv ...	Professional Services	01 GENERAL FUND:01.0...	196.71
Total Oregon Department of Forestry				0.00
Oregon Fire Chiefs Association				
11/08/2021	2018-2019 Dues	Accounts Payable		-85.00
11/08/2021	2020-2021 Dues	Travel/Training/Dues/St...	01 GENERAL FUND:01.0...	85.00
Total Oregon Fire Chiefs Association				0.00
Oregon Government Ethics Commission				
11/08/2021	AIE14670	Accounts Payable		-548.87
11/08/2021	OGEC FY 21-22	Travel/Training/Dues/St...	01 GENERAL FUND:01.0...	548.87
Total Oregon Government Ethics Commission				0.00
Petro Card				
11/08/2021	C821546	Accounts Payable		-236.76
11/08/2021	Fire Fuel	Equipment O & M	01 GENERAL FUND:01.0...	236.76
Total Petro Card				0.00

City of Falls City
Paid Bills Report
As of November 8, 2021

Date	Memo	Account	Class	Amount
Quadient				
11/08/2021	Acct: 7900 0440 8064 7419	Accounts Payable		-300.33
11/08/2021	Postage & Machine 10/21	Operational Expenses	01 GENERAL FUND:01.0...	100.11
11/08/2021	Postage & Machine 10/21	Operational Expenses	13 SEWER FUND	100.11
11/08/2021	Postage & Machine 10/21	Operational Expenses	20 WATER OPERATING ...	100.11
Total Quadient				0.00
Royal Flush Portables, Inc				
11/08/2021	A-31467	Accounts Payable		-290.00
11/08/2021	Rent Monthly Fleet Serv...	Professional Services	01 GENERAL FUND:01.0...	125.00
11/08/2021	ADA and fleet monthly 08-...	Professional Services	01 GENERAL FUND:01.0...	165.00
11/08/2021	A-31467, A-31904	Accounts Payable		-415.00
11/08/2021	Rent Monthly Fleet Serv...	Professional Services	01 GENERAL FUND:01.0...	125.00
11/08/2021	ADA and fleet monthly 08-...	Professional Services	01 GENERAL FUND:01.0...	165.00
11/08/2021	Rent Monthly Fleet Service	Professional Services	01 GENERAL FUND:01.0...	125.00
Total Royal Flush Portables, Inc				0.00
Spectrum Business				
11/08/2021	ACT# 8751132000020995	Accounts Payable		-122.97
11/08/2021	Clinic Phone and Internet	Facilities O & M	01 GENERAL FUND:01.0...	122.97
Total Spectrum Business				0.00
TerryByte Computer Repair				
11/08/2021	Inv001336	Accounts Payable		-250.00
11/08/2021	10/21 MSP 3 Hours , Rem...	Professional Services	01 GENERAL FUND:01.0...	62.50
11/08/2021	10/21 MSP 3 Hours , Rem...	Professional Services	11 STREET FUND	62.50
11/08/2021	10/21 MSP 3 Hours , Rem...	Professional Services	13 SEWER FUND	62.50
11/08/2021	10/21 MSP 3 Hours , Rem...	Professional Services	20 WATER OPERATING ...	62.50
Total TerryByte Computer Repair				0.00
US Bank Trust				
11/08/2021	account 274930000, Inv 6...	Accounts Payable		-700.00
11/08/2021	Water Bond Trustee	'17 H2O Bond Interest	20 WATER OPERATING ...	700.00
Total US Bank Trust				0.00
Verizon Wireless				
11/08/2021	Inv 9891338208	Accounts Payable		-61.31
11/08/2021	PW Duty Phone 10/21	Internet/Phone	20 WATER OPERATING ...	61.31
Total Verizon Wireless				0.00
West Coast Cross Connection				
11/08/2021	Inv 19	Accounts Payable		-3,645.00
11/08/2021	Backflow Testing (162)	Professional Services	20 WATER OPERATING ...	3,645.00
Total West Coast Cross Connection				0.00

City of Falls City
Paid Bills Report
As of November 8, 2021

Date	Memo	Account	Class	Amount
Williamson & Aebi, LLP				
11/08/2021	Oct /21 Accountant	Accounts Payable		-700.00
11/08/2021	10/21 Accountant	Professional Services	01 GENERAL FUND:01.0...	700.00
Total Williamson & Aebi, LLP				0.00
TOTAL				0.00

City of Falls City
Paid Bills Report
As of November 23, 2021

Date	Memo	Account	Class	Amount
CIS Trust				
07/26/2021	Inv FLC GASB75 2018 Final	Accounts Payable		-15,939.94
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	300.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	6,700.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	1,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	01 GENERAL FUND:01.0...	400.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	11 STREET FUND	1,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	20 WATER OPERATING ...	3,000.00
07/26/2021	Inv FLC GASB75 2018 Final	Worker's Comp Insura...	13 SEWER FUND	2,500.00
07/26/2021	Inv FLC GASB75 2018 Final	Professional Services	SHARED SERVICES	39.94
Total CIS Trust				0.00
City of Salem				
11/23/2021	Inv 2304928	Accounts Payable		-1,901.69
11/23/2021	Fy 20-21 quarterly 911	Professional Services	01 GENERAL FUND:01.0...	1,901.69
Total City of Salem				0.00
Consumers Power Inc				
11/23/2021	Account #1155301; Nov.'21	Accounts Payable		-201.63
11/23/2021	11/21 Power- WTP	Power	20 WATER OPERATING ...	201.63
Total Consumers Power Inc				0.00
Mid Willamette Valley COG				
11/23/2021	Inv #1294	Accounts Payable		-1,327.50
11/23/2021	Associate Planner Nov/21 ...	Professional Services	01 GENERAL FUND:01.0...	1,327.50
Total Mid Willamette Valley COG				0.00
Northside Electric				
11/23/2021	82857	Accounts Payable		-385.00
11/23/2021	Shop lights troubleshootin...	Professional Services	01 GENERAL FUND:01.0...	385.00
Total Northside Electric				0.00
Oregon Association of Water Utilities				
11/23/2021	31910	Accounts Payable		-1,102.50
11/23/2021	Lombard Water line Break	Professional Services	20 WATER OPERATING ...	1,102.50
Total Oregon Association of Water Utilities				0.00
Pacific Power				
11/23/2021	multiple accounts, 210915...	Accounts Payable		-1,705.13
11/23/2021	11/21 Parks	UTILITIES	01 GENERAL FUND:01.0...	232.81
11/23/2021	11/21 Sewer Power	UTILITIES	13 SEWER FUND	232.00
11/23/2021	11/21 Fire Power	UTILITIES	82 FIRE EQUIPMENT/OP...	134.62
11/23/2021	11/21 Street Power	UTILITIES	11 STREET FUND	506.80
11/23/2021	11/21 Water Power	UTILITIES	20 WATER OPERATING ...	63.64
11/23/2021	09/21 City Hall & Dr Ofc P...	UTILITIES	01 GENERAL FUND:01.0...	535.26
Total Pacific Power				0.00

City of Falls City
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Date	Memo	Account	Class	Amount
Polk IO				
11/23/2021	inv 21523	Accounts Payable		-9.50
11/23/2021	Public Notice and Notice of...	Travel/Training/Dues/St...	01 GENERAL FUND:01.0...	9.50
Total Polk IO				0.00
Royal Flush Portables, Inc				
11/23/2021	A-31467, A-31904	Accounts Payable		-415.00
11/23/2021	Rent Monthly Fleet Servic...	Professional Services	01 GENERAL FUND:01.0...	125.00
11/23/2021	ADA and fleet monthly 08-...	Professional Services	01 GENERAL FUND:01.0...	165.00
11/23/2021	Rent Monthly Fleet Service	Professional Services	01 GENERAL FUND:01.0...	125.00
Total Royal Flush Portables, Inc				0.00
Spectrum Business				
11/23/2021	ACT# 8751132000019088	Accounts Payable		-209.95
11/23/2021	City Hall Phone and Internet	Facilities O & M	01 GENERAL FUND:01.0...	209.95
Total Spectrum Business				0.00
TownCloud				
11/23/2021	Inv 2801	Accounts Payable		-855.00
11/23/2021	FY 21-22 Annual Subscript...	Professional Services	01 GENERAL FUND:01.0...	855.00
Total TownCloud				0.00
Valley Electric Company, LLC				
11/23/2021	Nov'21 Statements- INV I-...	Accounts Payable		-157.50
11/23/2021	Reprogram Auto Dialer for ...	Professional Services	13 SEWER FUND	157.50
Total Valley Electric Company, LLC				0.00
TOTAL				0.00

City of Falls City
Paid Bills Report
As of December 1, 2021

Date	Memo	Account	Class	Amount
Sharon Volk Greve				
12/01/2021	Reimbursement Bound Tr...	Accounts Payable		-5,665.00
12/01/2021	Auscultation Manikin, Ad...	Travel/Training/Dues/St...	01 GENERAL FUND:01.0...	5,400.00
12/01/2021	Hard Case for Manikin	Equipment O & M	01 GENERAL FUND:01.0...	265.00
Total Sharon Volk Greve				0.00
TOTAL				0.00

City of Falls City
Paid Bills Report
As of December 9, 2021

Date	Memo	Account	Class	Amount
Dallas Auto Parts				
12/07/2021	Acct 3020; November '21 ...	Accounts Payable		-185.58
12/07/2021	Large Raven, Oil Filter, Oil...	Equipment O & M	01 GENERAL FUND:01.0...	45.96
12/07/2021	Large Raven, Oil Filter, Oil...	Equipment O & M	20 WATER OPERATING ...	45.96
12/07/2021	Large Raven, Oil Filter, Oil...	Equipment O & M	13 SEWER FUND	45.96
12/07/2021	Large Raven, Oil Filter, Oil...	Equipment O & M	11 STREET FUND	46.00
12/07/2021	Service charge	Equipment O & M	20 WATER OPERATING ...	1.70
Total Dallas Auto Parts				0.00
Ferguson Enterprises, Inc				
12/07/2021	Account: 50936 Stateme...	Accounts Payable		-3,177.89
12/07/2021	260 Lombard Service install	Operational Expenses	20 WATER OPERATING ...	781.57
12/07/2021	Tapmate Tool	Operational Expenses	20 WATER OPERATING ...	1,899.80
12/07/2021	Restock parts	Operational Expenses	20 WATER OPERATING ...	496.52
Total Ferguson Enterprises, Inc				0.00
Great American Financial Services				
12/07/2021	Inv30501955	Accounts Payable		-189.00
12/07/2021	Copier Lease Payment 11/...	Professional Services	01 GENERAL FUND:01.0...	189.00
Total Great American Financial Services				0.00
KAMIND IT, Inc.				
12/07/2021	1121-1523	Accounts Payable		-172.00
12/07/2021	10/22/2021 Ofc 365	Professional Services	01 GENERAL FUND:01.0...	172.00
Total KAMIND IT, Inc.				0.00
Local Government Law Group P.C.				
12/07/2021	Legal fees for November - ...	Accounts Payable		-280.00
12/07/2021	Legal fees for Hale Property	Professional Services	01 GENERAL FUND:01.0...	280.00
Total Local Government Law Group P.C.				0.00
Mid Willamette Valley COG				
12/07/2021	Inv #1294	Accounts Payable		-1,327.50
12/07/2021	Associate Planner Nov/21 ...	Professional Services	01 GENERAL FUND:01.0...	1,327.50
Total Mid Willamette Valley COG				0.00
MNOP				
12/07/2021	Nov. 21 statement	Accounts Payable		-499.20
12/07/2021	Inv A425901-IN	Equipment O & M	01 GENERAL FUND:01.0...	499.20
Total MNOP				0.00
Net Assets Corporation				
12/07/2021	66-202111	Accounts Payable		-13.00
12/07/2021	Lien Searches Nov '21	Professional Services	01 GENERAL FUND:01.0...	13.00
Total Net Assets Corporation				0.00

City of Falls City
Paid Bills Report
As of December 9, 2021

Date	Memo	Account	Class	Amount
Office Craft				
12/07/2021	Inv #1954	Accounts Payable		-83.30
12/07/2021	B/W & Color Copies	Facilities O & M	01 GENERAL FUND:01.0...	83.30
Total Office Craft				0.00
Oregon Association of Water Utilities				
12/07/2021	31961	Accounts Payable		-3,500.00
12/07/2021	Contract Services for Wate...	Professional Services	20 WATER OPERATING ...	1,500.00
12/07/2021	Contract Services for Sew...	Professional Services	13 SEWER FUND	2,000.00
Total Oregon Association of Water Utilities				0.00
Petro Card				
12/07/2021	C82863 & C834965	Accounts Payable		-501.64
12/07/2021	PW Fuel	Equipment O & M	01 GENERAL FUND:01.0...	212.88
12/07/2021	PW Fuel	Equipment O & M	01 GENERAL FUND:01.0...	288.76
12/07/2021	C82863 & C834965	Accounts Payable		-501.64
12/07/2021	PW Fuel	Equipment O & M	01 GENERAL FUND:01.0...	212.88
12/07/2021	PW Fuel	Equipment O & M	01 GENERAL FUND:01.0...	288.76
Total Petro Card				0.00
Quadient				
12/07/2021	Acct: 7900 0440 8064 7419	Accounts Payable		-30.00
12/07/2021	Postage & Machine 11/21	Operational Expenses	01 GENERAL FUND:01.0...	30.00
Total Quadient				0.00
Royal Flush Portables, Inc				
12/07/2021	A-32012	Accounts Payable		-60.49
12/07/2021	Rent Monthly Fleet Serv...	Professional Services	01 GENERAL FUND:01.0...	60.49
Total Royal Flush Portables, Inc				0.00
Rugged Wear				
12/07/2021	0015	Accounts Payable		-330.93
12/07/2021	Pants, Boots, Leather Bog...	Operational Expenses	11 STREET FUND	330.93
Total Rugged Wear				0.00
Spectrum Business				
12/07/2021	ACT# 8751132000019088 ...	Accounts Payable		-332.92
12/07/2021	City Hall Phone and Internet	Facilities O & M	01 GENERAL FUND:01.0...	209.95
12/07/2021	Clinic Phone & Internet	Equipment O & M	01 GENERAL FUND:01.0...	122.97
Total Spectrum Business				0.00
TerryByte Computer Repair				
12/07/2021	Inv001423	Accounts Payable		-730.00
12/07/2021	10/21 MSP 3 Hours , Rem...	Professional Services	01 GENERAL FUND:01.0...	730.00
Total TerryByte Computer Repair				0.00

City of Falls City
Paid Bills Report
As of December 9, 2021

Date	Memo	Account	Class	Amount
TrojanUV				
12/07/2021	SLS/10291207	Accounts Payable		-406.00
12/07/2021	UV Lights, Assembly, Frei...	Sewer Capital	13 SEWER FUND	406.00
Total TrojanUV				0.00
US Bank Visa				
12/07/2021	Account: 47985312149811...	Accounts Payable		-1,024.09
12/07/2021	Walmart	Facilities O & M	01 GENERAL FUND:01.0...	59.22
12/07/2021	Amazon_08/21' Fee	Facilities O & M	01 GENERAL FUND:01.0...	12.99
12/07/2021	Little Lois Cafe	Council Approved Proje...	01 GENERAL FUND:01.0...	85.43
12/07/2021	Rickreall Farm Supply	Professional Services	11 STREET FUND	851.46
12/07/2021	Adobe- Office use	Professional Services	01 GENERAL FUND:01.0...	14.99
Total US Bank Visa				0.00
Van Well Building Supply				
12/07/2021	Sept 21' Statement	Accounts Payable		-414.98
12/07/2021	Hole Saw	Equipment O & M	11 STREET FUND	14.99
12/07/2021	HAMRDRL/Hackzall Kit	Facilities O & M	11 STREET FUND	399.99
12/07/2021	Nov 21' Statement	Accounts Payable		-429.97
12/07/2021	November Statement	Equipment O & M	11 STREET FUND	429.97
Total Van Well Building Supply				0.00
Verizon Wireless				
12/07/2021	Inv 9893552645	Accounts Payable		-56.10
12/07/2021	PW Duty Phone 10/21	Internet/Phone	20 WATER OPERATING ...	56.10
Total Verizon Wireless				0.00
West Coast Cross Connection				
12/07/2021	Inv 20	Accounts Payable		-2,947.50
12/07/2021	Backflow Testing - Nov 21	Professional Services	20 WATER OPERATING ...	2,947.50
Total West Coast Cross Connection				0.00
Westech Engineering				
12/07/2021	Inv #279048, 348995 & 29...	Accounts Payable		-58,664.59
12/07/2021	Barker Surveying	'17 CDBG Wastewater ...	01 GENERAL FUND:01.0...	15,020.50
12/07/2021	WWTP Aux Services	'17 CDBG Wastewater ...	13 SEWER FUND	13,008.48
12/07/2021	WWTP Aux Services	'17 CDBG Wastewater ...	13 SEWER FUND	30,635.61
Total Westech Engineering				0.00
Williamson & Aebi, LLP				
12/07/2021	Oct /21 Accountant	Accounts Payable		-940.00
12/07/2021	11/21 Accountant	Professional Services	01 GENERAL FUND:01.0...	940.00
Total Williamson & Aebi, LLP				0.00

City of Falls City
Paid Bills Report
As of December 9, 2021

Date	Memo	Account	Class	Amount
Xerox Capital				
12/07/2021	2932729	Accounts Payable		-230.75
12/07/2021	Lease Payment	Equipment O & M	01 GENERAL FUND:01.0...	180.75
12/07/2021	Late Fee	Equipment O & M	01 GENERAL FUND:01.0...	50.00
Total Xerox Capital				0.00
TOTAL				0.00

INTRODUCTION

Tonight we are holding a public hearing for a Site Development Review application, City File number SDR 2021-01. The application is a request for the development of a drive-thru window and renovation of an existing building for use as a coffee shop for the property located at 306 Main St.

MOTION

The Planning Commission is not able to act because of a lack of a quorum. Therefore, the Council must act as the Planning Commission for quasi-judicial land use hearings. Is there a motion for the Council to act in place of the Planning Commission?

MOTION: I move that the City Council of the City of Falls City act in place of the Planning Commission to process the following land use matter. (Council Votes)

Now we will proceed with the Quasi-Judicial Land Use Public Hearing.

I will introduce the applicable substantive criteria upon which each case will be decided. Our City Planner, Kiel Jenkins, will provide a staff report. When the staff report has been presented I will open the public hearing to public testimony. Members of the public who want to testify are asked to sign in, come up when called, and give their name and city and address for the record before they testify. We ask for your address so that we can notify you of the City's final decision. If you have any written testimony or other evidence to submit, please give that to staff so it can be entered into the record. When public testimony has been concluded I will close the public hearing and open it up for council discussion and deliberation.

After the Council has deliberated, we will need a motion to approve, modify or deny each application separately.

Are there any questions among the Council about the process?

Oregon land use law requires several items be read into the record at the beginning of each public hearing. The following provision will be applicable to both quasi-judicial land use public hearings tonight.

Conflicts of Interest/Ex-Parte Contacts/Bias

The Council is required to disclose any conflicts of interest and ex-parte contacts that we have with the Land Use Applications or applicants — this is whether we have any financial or other personal interest in a proposals and whether we have spoken with anybody or have other information about a proposal gathered outside of this hearing. Also, Councilors may only participate if they can do so without un-due bias either for or against an application.

Do any Councilors wish to make disclosures? Please identify the land use application for each disclosure.

Are there any challenges from the audience as to conflicts of interest, ex-parte contacts, or bias related to any member of the Council?

Required Statements SDR 2021-01

The applicable procedural and substantive criteria upon which SDR 21-01 will be decided are found in Section 3.202 of the Falls City Zoning and Development Ordinance.

Your testimony, arguments, and evidence must be directed toward these criteria or other criteria in the comprehensive plan or development code that you believe apply. ORS 197.763(5)(b).

Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker or other people an opportunity to respond may preclude appeal of a decision on this application based on that issue. ORS 197.763(5)(c).

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court. ORS 197.796(3)(b).

Public Hearing SDR 21-01

I now open the Public Hearing for application # SDR 2021-01 at _____ PM.

I call on our City Planner to present the staff report.

All persons speaking before the City Council must state their name and address for the record.

I invite the Applicant to present their case

I invite those in support of the application to speak

I invite those opposed to the application to speak

I invite those who are neither for nor against the application to speak

I invite public agencies to comment

I invite the Applicant to present any rebuttal to the testimony presented

I close the Public Hearing for application # SDR 2021-01 at _____ PM.

Mayor to read: Is there a request to keep the record open?

If there is no request to keep the record open

Now it is time for Council deliberation and discussion.

** NOTE: Only questions asked of staff are allowed after the hearing is closed.*

MOTION TO APPROVE (Requires Modification): *Based on the findings in the staff report, I move to approve Site Design Review application 21-01, and to authorize the Mayor to sign a final decision of approval.*

OR MOTION TO DENY: *I move to deny Site Design Review Application 2021-01 **as modified to reflect the changes made by the City Council.** (The Council will need to make alternative findings to the ones in the staff report that were found "not satisfied.")*

CITY OF FALLS CITY
STAFF REPORT
Site Design Review 2021-01
Staff Report: December 6, 2021
City Council Hearing: December 13, 2021

NATURE OF APPLICATION:	A site design review to remodel the existing nurses' cottage and carport structure into a coffee shop with a drive-thru window. The project will also include landscaping, lighting, and paving of the existing driveway from Main St.
APPLICABLE CRITERIA:	Falls City Zoning and Development Ordinance (FCZDO) 3.203 (Site Design Review).
PROPERTY LOCATION:	8.6.21.BA Tax Lot 4600
APPLICANT/OWNER:	Falls City School District
ZONE DESIGNATION:	Commercial-Residential (CI)
COMP. PLAN DESIGNATION:	Commercial (C)
FILE NUMBER:	SDR 2021-01
EXHIBITS:	A- Vicinity Map B- Engineer's Comments C- Applicant's Materials D- Images of Existing Site

I. REQUEST

A site design review to remodel the existing nurses' cottage and carport structure into a coffee shop with a drive-thru window. The project will also include landscaping, lighting, and paving of the existing driveway from Main St.

II. PROCEDURE

The application was received and docketed on October 12, 2021. After review, staff sent a letter of incompleteness to the applicant on October 12, 2021. The applicant resubmitted the application on November 1, 2021. Staff deemed the application technically complete on November 2, 2021. The City has 120 days, or March 2, 2022 to approve, approve with conditions, or deny the application.

Falls City Zoning and Development Ordinance (FCZDO) section 3.203 requires a site design review for all new developments and major expansion or remodel of existing development under a Type I-B action. The Planning Commission, or the City Council in the absence of a Planning Commission, review of Type I-B administrative actions are based upon generally clear and objective standards with some discretion afforded to the review authority. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area (100 feet of the subject site). Appeal is to the Land Use Board of Appeals (LUBA).

III. REVIEW CRITERIA AND FINDINGS OF FACT

FCZDO section 3.203.G sets forth the following criteria for consideration of site design reviews:

1. Conformance with the general development standards contained in this Ordinance including:

- a. Streets*
- b. Off-street parking*
- c. Public facilities, including storm drainage, and utility lines*
- d. Signs*
- e. Site and landscaping design*

FINDINGS: The following sections of the FCZDO are applicable to the application under review. Specific development standards are listed by type:

Streets

2.211- Street Standards

2.111.03.F- Existing Streets: Full street improvements to all existing streets adjacent to, within or necessary to serve the property shall be required at the time of land division or development

2.211.04- Minimum Right-of-way and pavement widths

The subject property borders two public streets (Main Street, 2nd Street), and one alley (Alley C). Main Street is an arterial, and the minimum requirements are 60 feet of ROW and 40 feet of pavement. The existing conditions currently meet the standards. 2nd Street is designated as a local street, and the minimum requirements are 50 feet with 32 feet of pavement. Alleys require 20 feet of pavement along the frontage of the property. The standards for 2nd Streets and the alley in the rear of the subject property are not currently met. The applicant will be required to sign a non-remonstrance agreement for the improvements to 2nd Street and the alley prior to development as a COA. Additionally, the drive-thru window shall be placed at least four car lengths from the alley to prevent vehicles from backing up into the alley. This requirement is provided as a COA.

Parking

2.202- Off-street parking and Loading

2.202.03- Joint use: Parking areas may be shared subject to City approval for commercial and industrial uses where hours of operation or use are staggered such that peak demand periods do not occur simultaneously. The requirements of Section 2.202 may be reduced accordingly

2.203.03.c:

Required vehicle parking spaces: One vehicle space per three seats

Required bicycle parking spaces: Minimum of two.

2.202.07- Design requirements:

A- Surfacing: All parking spaces shall be of a hard, durable surface.

B- Parking Spaces: All spaces shall be 9x18 feet

C- Driveway width: One-way driveways must be 10 feet in width.

D. Screening: When any public parking or loading area is within or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall, or hedge a minimum of 4 but not more than 6 feet in height, including along alleys.

E. Lighting: Any light used to illuminate a parking or loading area shall be arranged to be directed entirely onto the loading or parking area, shall be deflected away from any residential use and shall not cast a glare or reflection onto moving vehicles on public rights-of-way.

J- Service drive exits shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points 15 feet from their intersection. No obstruction to vision, in excess of 30 inches in height, shall be permitted within such area.

K- Parking spaces along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail at least 4 inches high, located a minimum of 3 feet from the property line, to prevent a motor vehicle from extending over an adjacent property or street.

The proposed use is a drive-thru coffee shop with the potential for outdoor seating during the summer months. As shown on the preliminary site plan, six outdoor seats are provided, requiring two off-street parking spaces. One off-street space is provided adjacent to the carport drive thru on the rear of the property. Staff finds that there are four on-street parking spaces that can be used to meet the additional off-street parking for the proposed use. All parking spaces will be required to be surfaced with a city-approved hard surface as a condition of approval and shall be required to be 9x18 feet in width. Two bike spaces are shown on the preliminary site plan, meeting the standard. The driveway is one-way and a minimum of 11.6 feet in width, meeting the 10-foot minimum. A “no-entry” sign will be required to be placed at the Main St. entrance to ensure the access drive only allows traffic from North-South. While the subject property is zoned CR (commercial-residential), landscaping and a fence are located along the Western side of the subject property along the access drive as indicated on the site plan. The parking space on-site will be required to meet the standards of subsection K as a condition of approval.

Utilities.

Sanitary Sewer: The property is currently served with existing sewer service. If the sewer service needs to be upsized to meet the needs of the coffee shop, the upgrade shall be in accordance with city standards.

Water: The property is currently served by an existing water service. If the water service needs to be upsized to serve the coffee shop, the upgrade shall be in accordance with City Standards. If the fire district requires a new hydrant to serve the property, it shall be designed and constructed in accordance with City standards.

Signs No proposed signage was included with the subject application. In conformance with FCZDO 2.204- Signs, proposed signage, if applicable, must comply with the Falls City Zoning and Development Ordinance 2.204, including review and approval by the City. This is included as a condition of approval.

Site Design and Landscaping

A landscaping plan is required as part of a site design review application, but the commercial-residential zone is silent on specific landscaping requirements. The applicant is proposing the following landscaping elements as part of the application:

- Re-landscaping of the overgrown shrubs between the proposed driveway and the western fence line. Six new boxwood trees and groundcover are proposed.
- The shared area between the doctor’s office and the new use will remain as is and will be open to the gardening club.

Staff finds that the applicant has submitted a satisfactory landscaping plan.

2. Characteristics of adjoining and surrounding uses.

FINDINGS: Surrounding uses are as follows:

South: Main St.

West: Centurylink server building, then the Boondocks restaurant.

East: 3rd St, residential uses across 3rd St.

North: 20-foot wide gravel alley, residential uses.

All adjacent uses are either residential or commercial in nature. The proposed coffee shop use is not intensive and will not require any additional buffering or noise protection. Staff finds the proposed coffee shop use is compatible with abutting uses.

3. Drainage and erosion control needs.

FINDINGS: In compliance with FCZDO 2.206, all storm water runoff shall be conveyed to a public storm sewer or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property

Per Exhibit B: Grading and drainage: Detention and water quality is not required for additional minimal paving. The final grading plan shall be designed to direct water away from the public right-of-way and away from adjoining properties.

4. Public health factors.

FINDINGS: Staff finds there are no known public health factors associated with the proposed re-development of the existing carport and nurses' cottage building and associated site improvements.

5. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities.

FINDINGS: Findings related to parking may be found under criterion b above. There is an existing driveway access to the property from Main St. that will be used as an egress to the subject property. As discussed, the driveway will be limited to a one-way access with the ingress to the site coming from the alley located to the North of the subject property. There are existing sidewalks along Main St. frontage, providing access to the subject property. Staff finds that pedestrian facilities are adequate and internal circulation is safe. Section 2.201.05 of the FCZDO speaks to vision clearance, requiring 20 feet of clear vision on either side of a commercial driveway. The applicant's proposal complies with this provision.

6. Provision for adequate noise and/or visual buffering from non-compatible uses.

FINDINGS: To ensure compatibility with adjacent residential uses, lighting serving the property shall be arranged to be directed entirely onto the site, and shall be deflected away from the adjoining properties and streets so as not to cast a glare or reflection onto moving vehicles on public rights-of-ways as a condition of site design approval (FCZDO 2.202.07.E). No additional buffering is required within the CR zone, and neighboring uses (as discussed under Criterion 2 above) are compatible with the proposed use.

7. Retention of existing natural features on site.

FINDINGS: The site is currently developed with trees and brush as shown in the preliminary site plan. The applicant is proposing the removal of shrubbery along the fence line on the West side of the property to be replaced with six “boxwood-style trees.” The applicant is also proposing the removal of a tree in front of the existing nurses’ cottage building to allow for future outdoor seating. Additional landscaping will be required outside the coffee shop building as a condition of approval. The grass area in the middle of the subject property will remain.

8. Problems that may arise due to development within potential hazard areas.

FINDINGS: The subject property is generally flat and is not within the Restricted Development Overlay Zone. There are no known potential hazard areas that would limit development of the subject property.

9. Access: As part of the design review process, the City may impose the following conditions on a new or expanding development:

- 1. Limit or prohibit access to local streets which principally serve residential uses.*
- 2. Require a traffic impact analysis.*
- 3. Require the dedication of additional right-of-way and/or street improvements where necessary to meet City street standards.*

FINDINGS: The proposed site plan proposes use of the alley to the North of the subject property as ingress to the property. The access drive through the property to be used as the drive-thru, and will be limited to one-way access. No TIA will be required, and there is sufficient ROW on 2nd and Main Streets. Should the PC require, the alley can be paved to meet the City’s standard.

IV. GENERAL DEVELOPMENT STANDARDS

The subject property is located in the Commercial-Residential (CR) zone. FCZDO section 2.102 governs permitted uses and development standards under the PAI zone:

Uses: FCZDO 2.102.02.O lists restaurants, drive-ins, taverns, snack-shops, and other types of eating and drinking establishments as permitted uses within the CR zone. Section 2.102.07 lists limitations on uses, and allows drive-thru windows as uses to be permitted to be conducted outside of an enclosed building.

Setbacks: FCZDO 2.102.08 lists development standards. Per subsection B, commercial uses in the CR zone shall not be subject to minimum lot area and shall have no required yards. The subject property’s side yards border other properties zoned CR, and therefore do not require a 15 foot side setback.

Fencing: The applicant is proposing a decorative fence three feet in height to border the outdoor dining area and separate from the sidewalk. The proposal complies with the applicable code provisions of FCZDO 2.204.07.

Signage: The applicant is proposing one sign above the Main St. entrance as indicated on the site plan image. All signage shall be reviewed by the City per FCZDO 2.204.

Staff finds the applicants' site plan conforms to the general development standards of the CR zone.

V. RECOMMENDATION

Based on the findings within the staff report, staff recommends the City Council approve SDR 2021-01 with the following conditions:

1. All parking spaces shall be required to be located upon a city-approved hard surface.
2. The on-site parking space shall be required to meet the standards of 2.202.07.K
3. All proposed signage shall comply with the provisions of FCZDO 2.204, including the requirement to obtain any permits from both Falls City and Polk County as needed.
4. Proposed lighting shall be directed onto the subject property and shall not overflow onto abutting properties in compliance with FCZDO 2.202.07.E.
5. Proposed landscaping shall be added to the final landscaping plan in the front of the proposed coffee house building as a condition of approval.
6. The final grading plan shall be designed to direct water away from the public right-of-way and away from adjoining properties.
7. The location of the drive thru window shall be at least located for car lengths from the alley.
8. A property line adjustment shall be filed with the City to remove the lot line running through the property.
9. If the fire district requires a new hydrant to serve the property, it shall be designed and constructed in accordance with City standards.

VI. SAMPLE CITY COUNCIL ACTION

Options available to the City Council include:

1. Adopt the findings in the staff report and approve the site design review request (File SDR 2021-01).
2. Deny site design review request (File SDR 2021-01), stating how the criteria for approval are not met.
3. Continue the review to a time certain.

VII. SAMPLE MOTIONS

1. I MOVE TO **APPROVE** THE REQUESTED SITE DESIGN REVIEW (SDR 2021-01) AND ADOPT THE FINDINGS FOUND IN THE STAFF REPORT, WITH CONDITIONS OF APPROVAL LISTED IN SECTION V. OF THE STAFF REPORT.
2. I MOVE TO **DENY** THE REQUESTED SITE DESIGN REVIEW (SDR 2021-01), ADOPTING THE FINDINGS DEVELOPED AT THE CITY COUNCIL MEETING RELATED TO THE CRITERIA FOR APPROVAL.
3. I MOVE TO CONTINUE THE REVIEW OF THE REQUESTED SITE DESIGN REVIEW TO A TIME CERTAIN.

THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

N.E.1/4 N.W.1/4 SEC. 21 T.8S. R.6W. W.M.

8.6.21BA

Polk County

1" = 100'

See Map 8.6.16CD

N.W. CORNER
SAMUEL GOTHARD
DLC NO. 48

Canceled No.

- 101
- 202
- 500
- 601
- 602
- 700
- 1100
- 1700
- 2901
- 3601
- 4100
- 4500
- 4600N1
- 5200

See Map 8.6.21AB

6/24/2021

8.6.21BA



December 8, 2021

Kiel Jenkins
Associate Planner
Mid-Willamette Valley Council of Governments
100 High Street SE
Suite 200
Salem, OR 97301

RE: Falls City Backs Roads Coffee, 304 N Main Street

Dear Kiel:

Per your request, we have reviewed the proposed Back Roads Coffee Development located on N Main Street in Falls City, Oregon as prepared by Boatwright Engineering for Kirk Bathke.

The property is located north of Main Street between 2nd and 3rd Streets. We have reviewed the application only with respect to public infrastructure and access and offer you the following comments regarding the various public facilities.

Water

The property is currently served with an existing water service. If the water service needs to be upsized to serve the coffee shop, the upgrade shall be in accordance with City Standards. The closest FH is located on the SE corner of Dayton and Main Streets. If the Fire District requires a new FH to serve the property, it shall be designed and constructed in accordance with City Standards.

Sanitary Sewer

The property is currently served with an existing sewer service. If the sewer service needs to be upsized to serve the coffee shop, the upgrade shall be in accordance with City Standards.

Streets/Access

The drive through is proposed to be served via the existing alley on the north side of the property. The alley is currently unimproved. The drive thru is proposed to exit via the existing driveway on N Main Street. Based upon the proposal, no public improvements are recommended. The order window is not identified on the drawings. Public Works recommends the order window be placed a minimum of 4 car lengths away from the alley to prevent vehicles from backing up into the public right of way.

December 8, 2021
Kiel Jenkins
City of Falls City
Page 2

Grading and Drainage

Detention and water quality is not required for the minimal additional paving. The final grading plan shall be designed to direct water from the development to the public right of way and away from adjacent properties.

Private Utilities

No changes are recommended for the existing private utilities. Any new private utilities shall be installed underground.

Lot Line Adjustment

Public Works has notice the existing lot line runs through the existing house. Public works recommends the lot line be eliminated or adjusted so as to not run through the existing building.

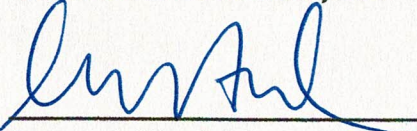
General

The development and use of this site shall meet all of the requirements of Federal, State County and City laws, regulations and standards unless explicitly waived in this approval. Omission of any such requirement from this approval does not constitute a waiver of that requirement.

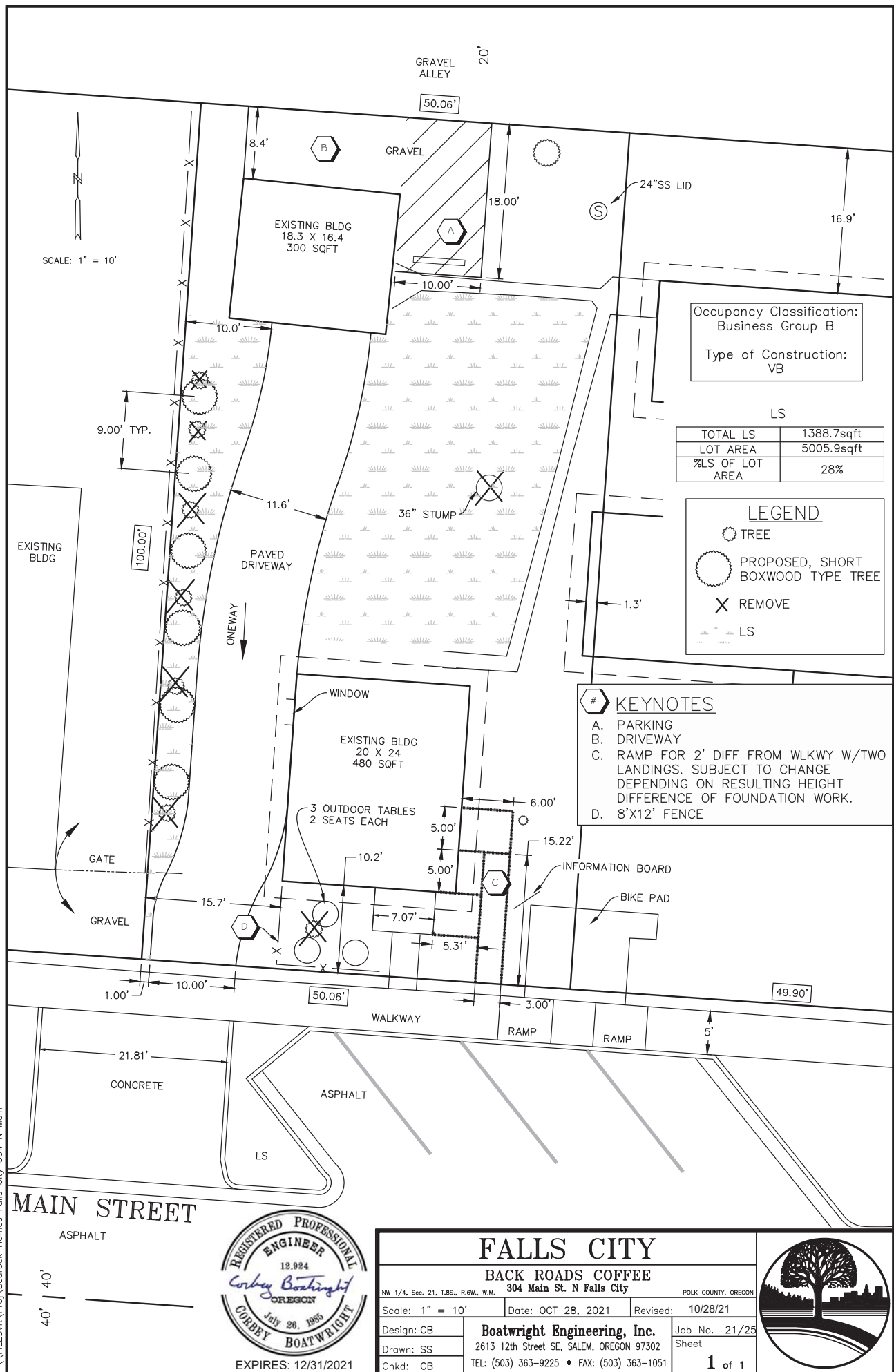
Please call if you have any questions regarding this letter.

Sincerely,

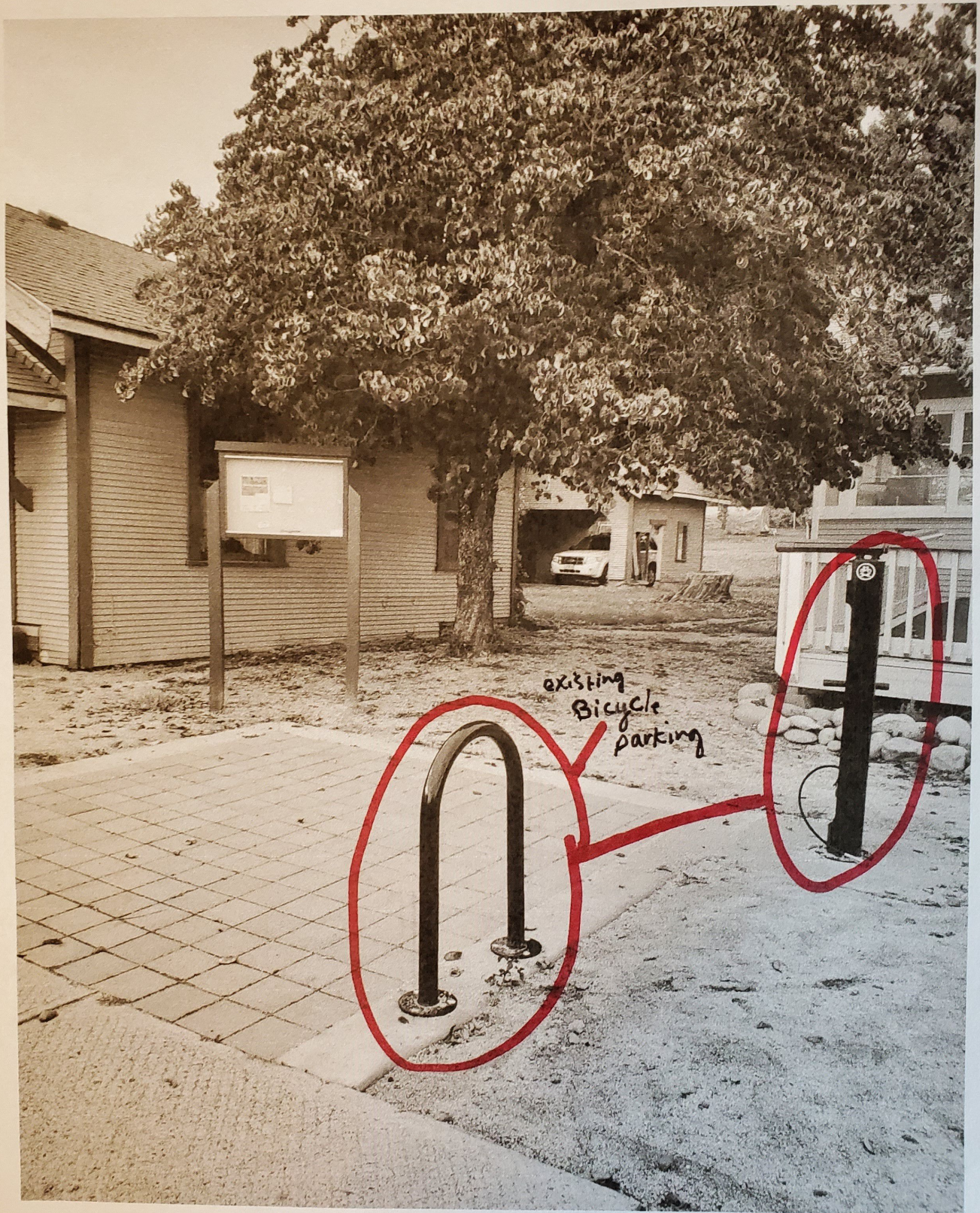
WESTECH ENGINEERING, INC.

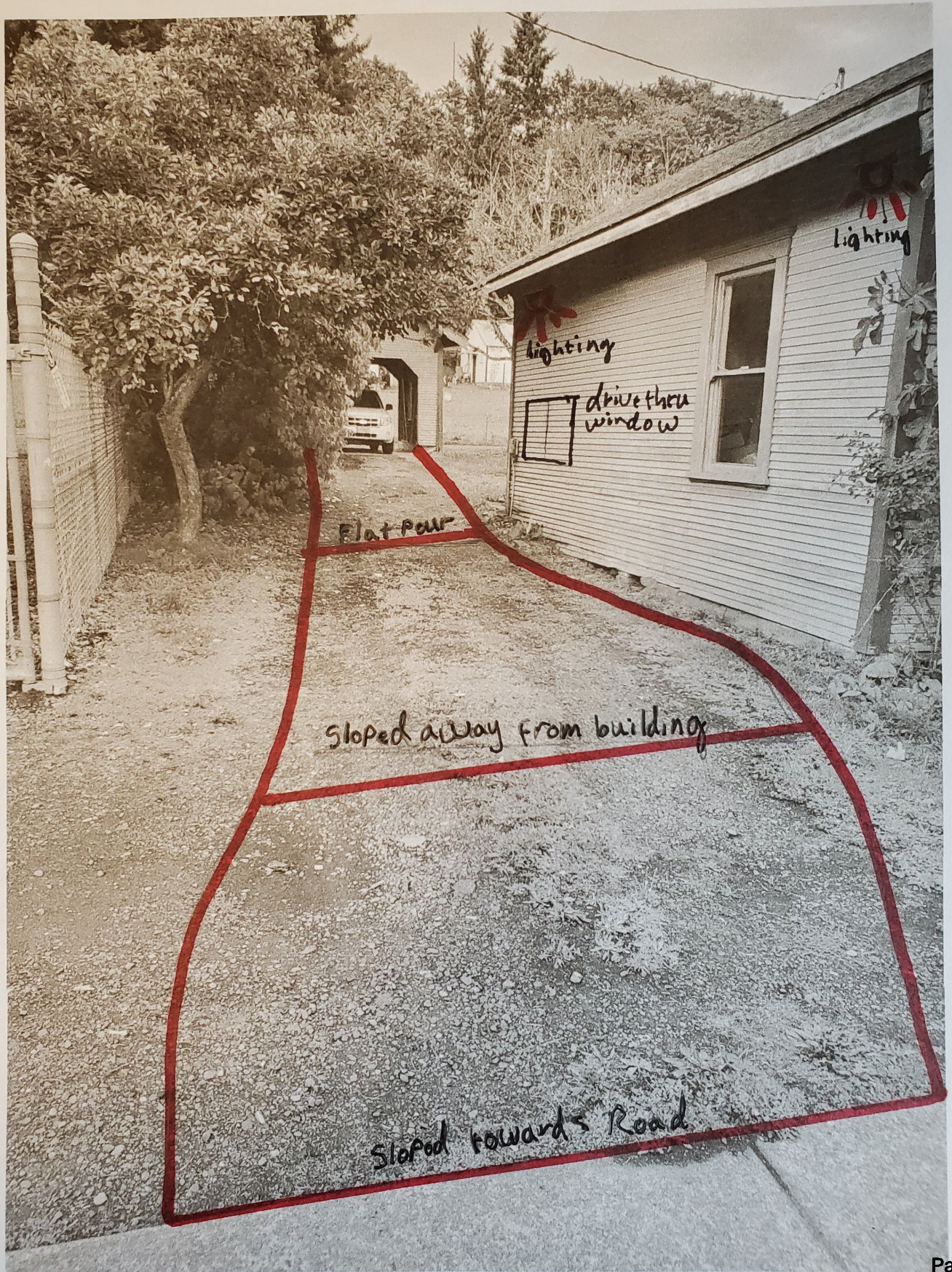


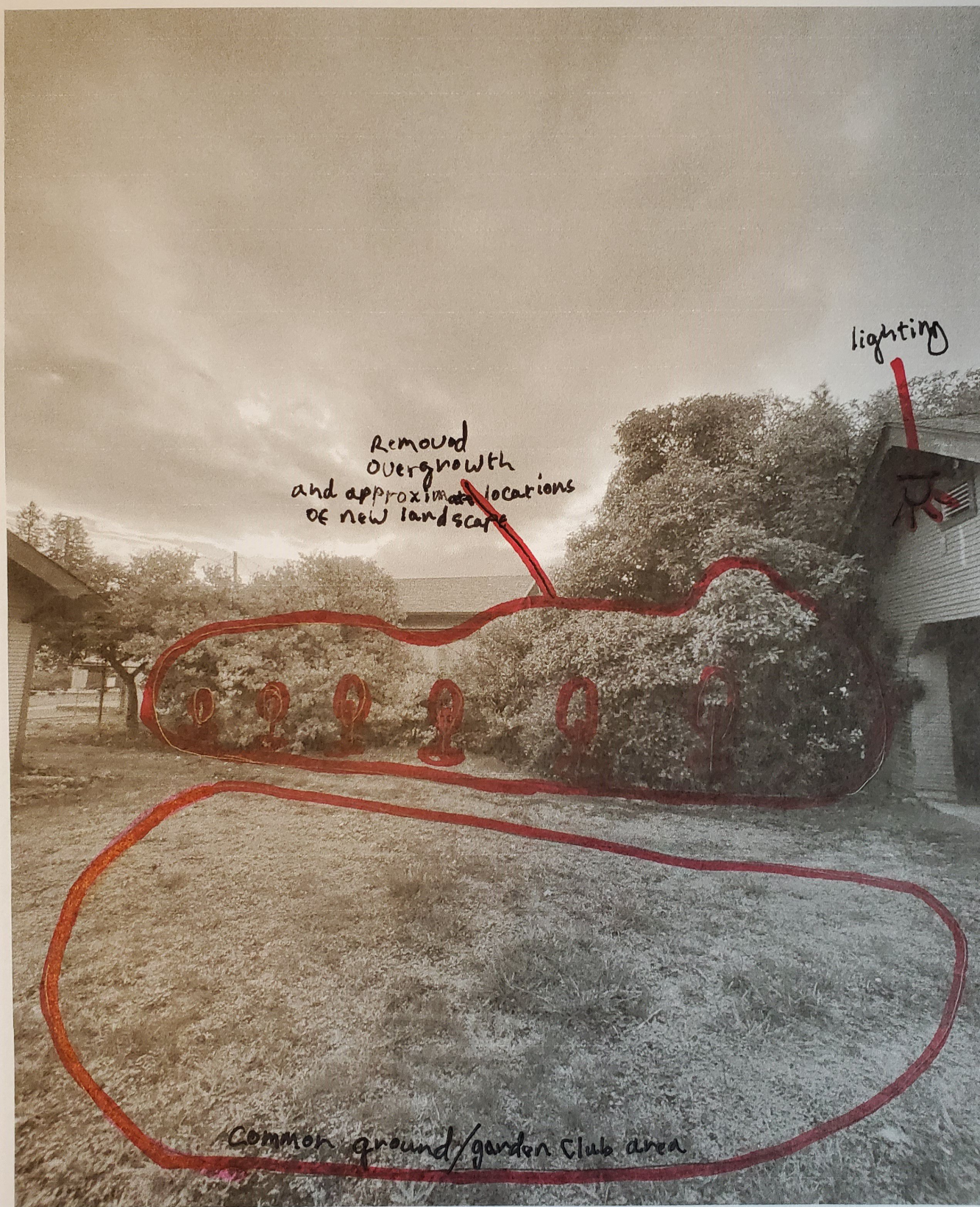
Steven A. Ward, P.E.

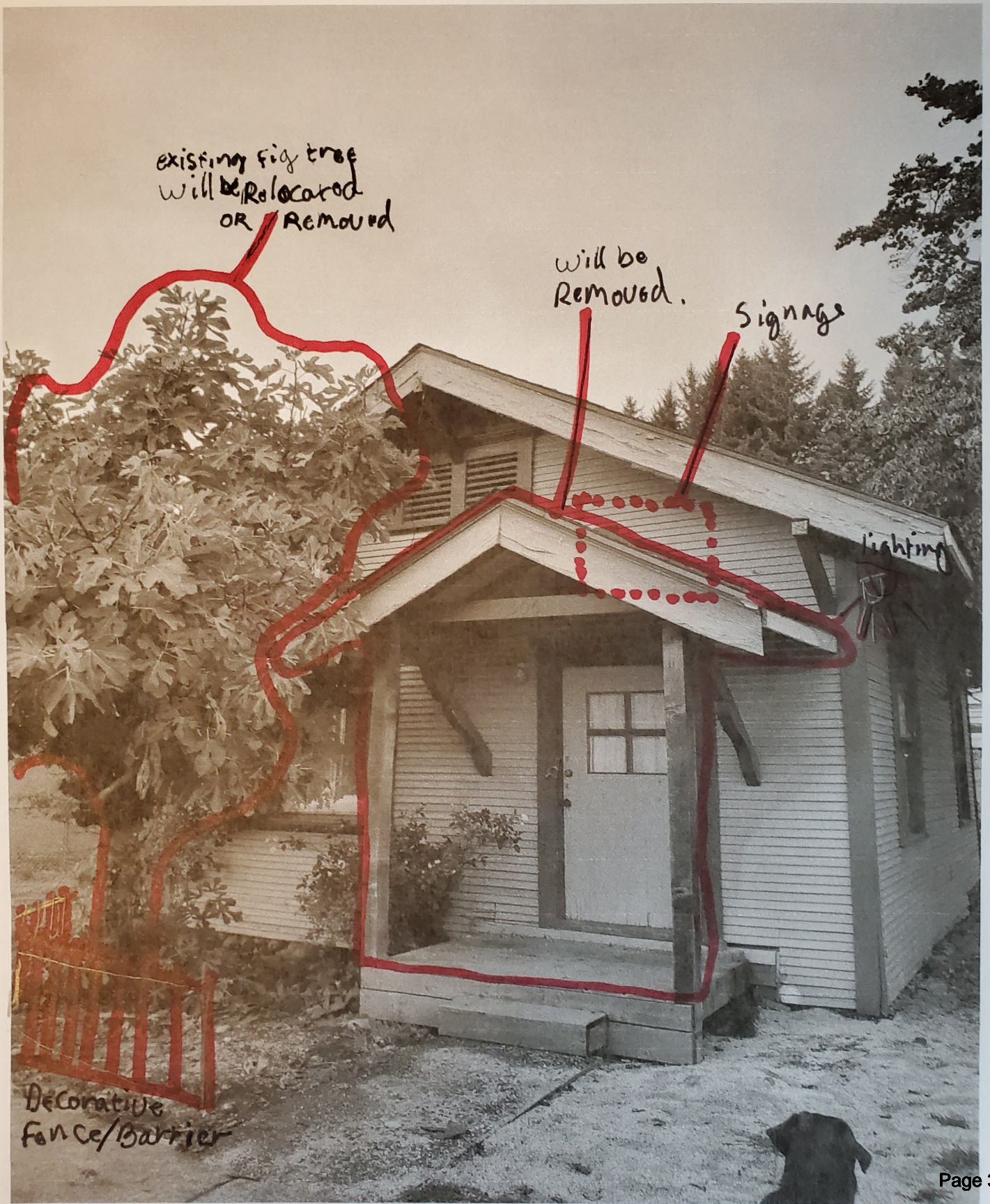














AGENDA REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: AJ FOSCOLI, CITY MANAGER
SUBJECT: RESOLUTION 10-2021, FY 21-22 SUPPLEMENTAL BUDGET 2
DATE: DECEMBER 13, 2021

SUMMARY

A budget amendment request to reflect donations for FY 2021-2022.

BACKGROUND

Oregon Local Budget Law requires that a city budget be balanced, and that the agency will not spend more than budgeted. The law does allow provisions for adjustments for unforeseen revenues, or expenditures that would not have been known were needed at the time of the preparation of the budget.

PREVIOUS COUNCIL ACTION

N/A

ALTERNATIVES/FINANCIAL IMPLICATIONS

None.

STAFF RECOMMENDATION

Staff recommends the City Council approve the resolution allowing the adjustment and making appropriations.

ATTACHMENTS

Resolution 10-21, FY 21-22 Supplemental Budget No. 2

Exhibit A, Supplemental Budget No. 2

PROPOSED MOTION

I move that the Falls City Council adopt Resolution 10-2021, FISCAL YEAR 2021-2022
SUPPLEMENTAL BUDGET 2

Resolution 10-2021

FISCAL YEAR 2021-2022 SUPPLEMENTAL BUDGET 2

Whereas, a Supplemental Budget is the appropriate mechanism to recognize sources of revenue or expense that were unknown at the beginning of the fiscal year; and

Whereas, each adjustment in this supplemental budget meets one of the exception criteria to avoid the full budget process; and

Whereas, this type of Supplemental Budget can be properly adopted through the resolution process at a regular meeting of the City Council, without a public hearing;

Now therefore, be it resolved by the City Council of Falls City as follows:

Section 1. The City Council adopts FY 21-22 Supplemental Budget 2, on file in City Hall located at City Hall 299 Mill Street, Falls City Oregon 97344.

Section 2. The appropriations for FY 21-22 Supplemental Budget 1 are hereby adopted.

Section 3. The attached exhibit "A", represent the entirety of FY 21-22 Supplemental Budget 1 and are hereby made part of this resolution.

Section 4. This Resolution was duly PASSED and ADOPTED by the Falls City Council and takes effect upon signature of the Mayor.

Approved:

Date

TJ Bailey, Mayor

Attest:

Date

Jamie Ward, City Recorder

Falls City 2021-2022 Budget Adjustment 1

Resolution 8-2021

Fund	Account	Original Budget	Increase	Decrease	Revised Budget
1. General Fund: Administrative					
Revenues	Falls Park Donation to Close out Loan	\$ -	\$ 50,000.00	\$ -	\$ 50,000.00
2. General Fund: Parks & Recreation					
Revenues	Falls Park Donation for Improvements	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00
total					
		\$ -			\$ 55,000.00

1. Falls Park Donation from John Schoon to Close out Loan
2. Falls Park Donation from John Schoon for park improvements

Notice Posted in Polk IO for 12/8/21 run

AGENDA REPORT

TO: CITY COUNCIL
FROM: CITY MANAGER FOSCOLI
SUBJECT: TEXTMYGOV COMMUNITY-WIDE COMMUNICATION
DATE: DECEMBER 13, 2021

BACKGROUND

The City of Falls City has been approached by a company called Textmygov regarding their service to “push” information through a texting application. This service could greatly enhance the way that this community gets vital information, especially during the COVID pandemic, but also during other unforeseen emergencies. As this community-wide communication function is an eligible use of American Recovery Plan Act funds, it would not negatively impact our limited FY 2021-22 budget.

SUMMARY

The texting system from Textmygov works with all cellular carriers, and it can be used to not only “push” information (send), but also automatically receive information upon request (by residents). This feature could be of immense value given that our staff has at times been shorthanded due to COVID (we currently have one employee who tested positive, and one employee who is quarantining due to COVID exposure). Thanks to the 2-way communication features of Textmygov, we feel that we could improve how this community gets its vital COVID information, how individual residents can receive information that they request, as well as alleviating the information-sharing workload that our limited staff deals with on a daily basis.

STAFF RECOMMENDATION

Staff recommends the city to enter into a service contract with Textmygov for 2022 using American Recovery Plan Act (ARPA) funds.

PROPOSED MOTION

Recommend a motion to direct the City Manager to enter into a service contract with Textmygov for 2022 using American Recovery Plan Act (ARPA) funds.

ATTACHMENTS

Attachment A – Textmygov Proposal
Attachment B – ARPA Guidelines for Eligible Uses



TextMyGov
P.O. Box 3784
Logan, Utah 84323
435-787-7222

Attachment A

Partnership Proposal

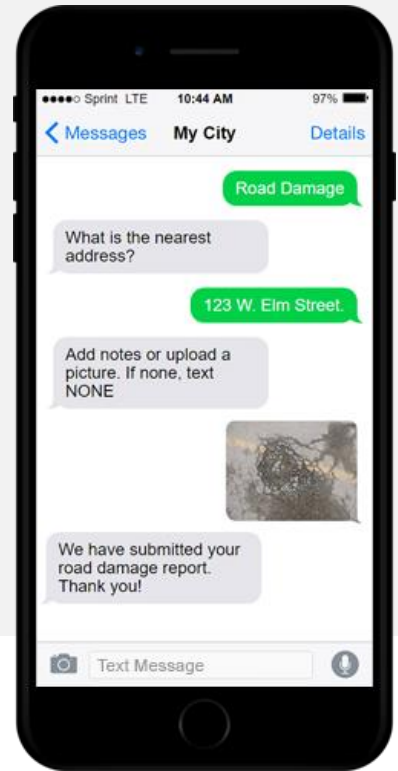
Introducing TextMyGov

TextMyGov was developed to open lines of communication with local government agencies and citizens. The system works 24 hours a day and easily connects with your website and other communication methods.

Using the regular messaging app on any smartphone, the smart texting technology allows the citizen to ask questions and get immediate responses, find links to information on the agency's website, address problems, report any issues and upload photos.

According to the Pew Research Center, **97% of smartphone owners text regularly.**

The technology analysts at Compuware reported **that 80 to 90% of all downloaded apps are only used once and then eventually deleted** by users.



TextMyGov Solutions:

Communicate, Engage, Boost Website Traffic, Track, and Work



Communicate

TextMyGov uses smart texting technology to communicate with citizens. Local government agencies can answer questions, send links to their website, and provide details on garbage pickup, utility payments, city news, events, office hours, just to name a few.



Engage

TextMyGov uses smart texting technology to engage with citizens. Citizens can easily report issues to any department, such as potholes, drainage problems, tall grass, junk cars. The issue reporting function can be customized for each department and their most commonly reported items. Agencies can engage citizens and ask specific guided questions regarding location, address, street name, and more. If your goal is to engage with citizens and get smart valuable data- You need TextMyGov.



Boost Website Traffic

TextMyGov uses smart texting technology to maximize a cities website. Citizens can text in keywords like festival, parking, ticketing, meeting, sporting event, etc. The smart texting technology can answer the question or send a link from the city's website with additional information. Local government agencies spend thousands of dollars each year on their website. TextMyGov is the best way to benefit from that investment. If your goal is to benefit from your website investment- You need TextMyGov.



Track

TextMyGov uses smart texting technology to track and record all the information that is sent in. Agencies can track the cell phone number, date, and time of every request. If your agency wants to be compliant with FOIA- You need TextMyGov.



Work

Smart texting uses detailed information to track a citizen's request or create a work order. Work orders and requests can be generated and completed. Smart texting allows you to easily collect information like name, location, street address, and allows the user to upload a photo. If your agency wants to track real requests and real work orders submitted by a real cell phone number- You need TextMyGov.

Implementation

Getting Started

After the execution of the basic service agreement, a project manager will be assigned to assist the client through implementation. A local phone number will be obtained for use with TextMyGov.

Configuration

The project manager will work with the client to customize interactive responses, create automation flows, and keyword lists. Training will be provided on how to quickly create and edit data.

Media Kit

Advertising materials will be provided to the client, including an infographic for the website and downloadable flyer for social media and other communication methods used by the agency.

Unlimited Training and Support

After initial implementation and training, unlimited on-going support is included. Our experts are available M-F 6am-5pm MST.

Subscription Cost Breakdown

This quote represents a subscription to TextMyGov with an annual reoccurring charge for a period of two years. The agreement is set to automatically renew on the date of this agreement, after year two. See below for package price and other details.

Terms and conditions can be printed and attached as Exhibit A or viewed at www.TextMyGov.com/terms

Prepared for:

Falls City
299 Mill St,
Falls City,
Oregon 97344

Prepared by:

Jason Johnson
Account Executive
P.O. Box 3784
Logan, UT 84323

Package	Package Price	Billing
TextMyGov Package includes: <ul style="list-style-type: none"> • TextMyGov Web-Based Software • Local Phone Number • Short Code Number (for outgoing messages) • Unlimited Users • Unlimited Departments • Unlimited Support for Every User • 10 GB Managed online data storage • 25,000 Text Messages per year • Additional text messages can be purchased for: (\$750 for 100,000), (\$550 for 50,000), (\$300 for 25,000) 	\$3,000	Annual
Implementation/Setup Fee	\$1,200	Included
Total (First Year):	\$4,200 \$3,000	First Year
Total (Ongoing):	\$3,000	Annual

Notes:

1. This is a two-year contract. After the initial two years, the contract can be canceled by providing 60-day written notice.
2. After the initial two-year contract, the agreement will revert to a year to year.
3. Customer is required to put Text My Gov widget on the Agencies Web Home page.
4. This agreement and pricing was provided at the customer's request and is good until **December 30th, 2021.**
5. Customer is required to provide copy of W-9

Agreement Confirmation

Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

Billing Information

Billing Contact Name:

Title:

Email:

Office Phone:

Address:

Agreement Signature

Name:

Title:

Date:

Signature:

Twilio Contact Authorization

Twilio Authorized Contacts

Employee Name (1):

Email:

Business Title:

Job Position:

Phone Number:

Employee Name (2):

Email:

Business Title:

Job Position:

Phone Number:

☐ *I confirm that my nominated authorized representatives agree to be contacted by Twilio.*

Tax revenue means revenue received from a compulsory contribution that is exacted by a government for public purposes excluding refunds and corrections and, for purposes of § 35.8, intergovernmental transfers. Tax revenue does not include payments for a special privilege granted or service rendered, employee or employer assessments and contributions to finance retirement and social insurance trust systems, or special assessments to pay for capital improvements.

Territory means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or American Samoa.

Tribal enterprise means a business concern:

(1) That is wholly owned by one or more Tribal governments, or by a corporation that is wholly owned by one or more Tribal governments; or

(2) That is owned in part by one or more Tribal governments, or by a corporation that is wholly owned by one or more Tribal governments, if all other owners are either United States citizens or small business concerns, as these terms are used and consistent with the definitions in 15 U.S.C. 657a(b)(2)(D).

Tribal government means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published by the Bureau of Indian Affairs on January 29, 2021, pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

Unemployment rate means the U-3 unemployment rate provided by the Bureau of Labor Statistics as part of the Local Area Unemployment Statistics program, measured as total unemployment as a percentage of the civilian labor force.

Unemployment trust fund means an unemployment trust fund established under section 904 of the Social Security Act (42 U.S.C. 1104).

Unit of general local government has the meaning given to that term in section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)).

Unserved and underserved households or businesses means one or more households or businesses that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

§ 35.4 Reservation of authority, reporting.

(a) *Reservation of authority.* Nothing in this subpart shall limit the authority of the Secretary to take action to enforce conditions or violations of law, including actions necessary to prevent evasions of this subpart.

(b) *Extensions or accelerations of timing.* The Secretary may extend or accelerate any deadline or compliance date of this subpart, including reporting requirements that implement this subpart, if the Secretary determines that such extension or acceleration is appropriate. In determining whether an extension or acceleration is appropriate, the Secretary will consider the period of time that would be extended or accelerated and how the modified timeline would facilitate compliance with this subpart.

(c) *Reporting and requests for other information.* During the covered period, recipients shall provide to the Secretary periodic reports providing detailed accounting of the uses of funds, all modifications to a State or Territory's tax revenue sources, and such other information as the Secretary may require for the administration of this section. In addition to regular reporting requirements, the Secretary may request other additional information as may be necessary or appropriate, including as may be necessary to prevent evasions of the requirements of this subpart. False statements or claims made to the Secretary may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in Federal awards or contracts, and/or any other remedy available by law.

§ 35.5 Use of funds.

(a) *In general.* A recipient may only use funds to cover costs incurred during the period beginning **March 3, 2021, and ending December 31, 2024**, for one or more of the purposes enumerated in sections 602(c)(1) and 603(c)(1) of the Social Security Act, as applicable, including those enumerated in section § 35.6, subject to the restrictions set forth in sections 602(c)(2) and 603(c)(2) of the Social Security Act, as applicable.

(b) *Costs incurred.* A cost shall be considered to have been incurred for purposes of paragraph (a) of this section if the recipient has incurred an obligation with respect to such cost by December 31, 2024.

(c) *Return of funds.* A recipient must return any funds not obligated by December 31, 2024, and any funds not expended to cover such obligations by December 31, 2026.

§ 35.6 Eligible uses.

(a) *In general.* Subject to §§ 35.7 and 35.8, a recipient may use funds for one or more of the purposes described in paragraphs (b) through (e) of this section

(b) *Responding to the public health emergency or its negative economic impacts.* A recipient may use funds to respond to the public health emergency or its negative economic impacts, including for one or more of the following purposes:

(1) *COVID-19 response and prevention.* Expenditures for the mitigation and prevention of COVID-19, including:

(i) Expenses related to COVID-19 vaccination programs and sites, including staffing, acquisition of equipment or supplies, facilities costs, and information technology or other administrative expenses;

(ii) COVID-19-related expenses of public hospitals, clinics, and similar facilities;

(iii) COVID-19 related expenses in congregate living facilities, including skilled nursing facilities, long-term care facilities, incarceration settings, homeless shelters, residential foster care facilities, residential behavioral health treatment, and other group living facilities;

(iv) Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs and other capital investments in public facilities to meet COVID-19-related operational needs;

(v) Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs and other capital investments in public facilities to meet COVID-19-related operational needs;

(vi) Costs of providing COVID-19 testing and monitoring, contact tracing, and monitoring of case trends and genomic sequencing for variants;

(vii) Emergency medical response expenses, including emergency medical transportation, related to COVID-19;

(viii) Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment;

(ix) **Expenses for communication related to COVID-19 vaccination programs and communication or enforcement by recipients of public health orders related to COVID-19;**

(x) Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment;

(xi) Expenses for disinfection of public areas and other facilities in

response to the COVID-19 public health emergency;

(xii) Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety;

(xiii) Expenses for quarantining or isolation of individuals;

(xiv) Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions;

(xv) Expenses for treatment of the long-term symptoms or effects of COVID-19, including post-intensive care syndrome;

(xvi) Expenses for the improvement of ventilation systems in congregate settings, public health facilities, or other public facilities;

(xvii) Expenses related to establishing or enhancing public health data systems; and

(xviii) Mental health treatment, substance misuse treatment, and other behavioral health services.

(2) *Public health and safety staff.*

Payroll and covered benefit expenses for public safety, public health, health care, human services, and similar employees to the extent that the employee's time is spent mitigating or responding to the COVID-19 public health emergency.

(3) *Hiring State and local government staff.* Payroll, covered benefit, and other costs associated with the recipient increasing the number of its employees up to the number of employees that it employed on January 27, 2020.

(4) *Assistance to unemployed workers.* Assistance, including job training, for individuals who want and are available for work, including those who have looked for work sometime in the past 12 months or who are employed part time but who want and are available for full-time work.

(5) *Contributions to State unemployment insurance trust funds.* Contributions to an unemployment trust fund up to the level required to restore the unemployment trust fund to its balance on January 27, 2020 or to pay back advances received under Title XII of the Social Security Act (42 U.S.C. 1321) for the payment of benefits between January 27, 2020 and May 17, 2021.

(6) *Small businesses.* Assistance to small businesses, including loans, grants, in-kind assistance, technical assistance or other services, that responds to the negative economic impacts of the COVID-19 public health emergency.

(7) *Nonprofits.* Assistance to nonprofit organizations, including loans, grants, in-kind assistance, technical assistance

or other services, that responds to the negative economic impacts of the COVID-19 public health emergency.

(8) *Assistance to households.*

Assistance programs, including cash assistance programs, that respond to the COVID-19 public health emergency.

(9) *Aid to impacted industries.* Aid to tourism, travel, hospitality, and other impacted industries that responds to the negative economic impacts of the COVID-19 public health emergency.

(10) *Expenses to improve efficacy of public health or economic relief programs.* Administrative costs associated with the recipient's COVID-19 public health emergency assistance programs, including services responding to the COVID-19 public health emergency or its negative economic impacts, that are not federally funded.

(11) *Survivor's benefits.* Benefits for the surviving family members of individuals who have died from COVID-19, including cash assistance to widows, widowers, or dependents of individuals who died of COVID-19.

(12) *Disproportionately impacted populations and communities.* A program, service, or other assistance that is provided in a qualified census tract, that is provided to households and populations living in a qualified census tract, that is provided by a Tribal government, or that is provided to other households, businesses, or populations disproportionately impacted by the COVID-19 public health emergency, such as:

(i) Programs or services that facilitate access to health and social services, including:

(A) Assistance accessing or applying for public benefits or services;

(B) Remediation of lead paint or other lead hazards; and

(C) Community violence intervention programs;

(ii) Programs or services that address housing insecurity, lack of affordable housing, or homelessness, including:

(A) Supportive housing or other programs or services to improve access to stable, affordable housing among individuals who are homeless;

(B) Development of affordable housing to increase supply of affordable and high-quality living units; and

(C) Housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity and to reduce concentrated areas of low economic opportunity;

(iii) *Programs or services that address or mitigate the impacts of the COVID-19 public health emergency on education, including:*

(A) New or expanded early learning services;

(B) Assistance to high-poverty school districts to advance equitable funding across districts and geographies; and

(C) Educational and evidence-based services to address the academic, social, emotional, and mental health needs of students; and

(iv) Programs or services that address or mitigate the impacts of the COVID-19 public health emergency on childhood health or welfare, including:

(A) New or expanded childcare;

(B) Programs to provide home visits by health professionals, parent educators, and social service professionals to individuals with young children to provide education and assistance for economic support, health needs, or child development; and

(C) Services for child welfare-involved families and foster youth to provide support and education on child development, positive parenting, coping skills, or recovery for mental health and substance use.

(c) *Providing premium pay to eligible workers.* A recipient may use funds to provide premium pay to eligible workers of the recipient who perform essential work or to provide grants to eligible employers, provided that any premium pay or grants provided under this paragraph (c) must respond to eligible workers performing essential work during the COVID-19 public health emergency. A recipient uses premium pay or grants provided under this paragraph (c) to respond to eligible workers performing essential work during the COVID-19 public health emergency if it prioritizes low- and moderate-income persons. The recipient must provide, whether for themselves or on behalf of a grantee, a written justification to the Secretary of how the premium pay or grant provided under this paragraph (c) responds to eligible workers performing essential work if the premium pay or grant would increase an eligible worker's total wages and remuneration above 150 percent of such eligible worker's residing State's average annual wage for all occupations or their residing county's average annual wage, whichever is higher.

(d) *Providing government services.* For the provision of government services to the extent of a reduction in the recipient's general revenue, calculated according to paragraphs (d)(1) and (2) of this section.

(1) *Frequency.* A recipient must calculate the reduction in its general revenue using information as-of December 31, 2020, December 31, 2021, December 31, 2022, and December 31, 2023 (each, a calculation date) and following each calculation date.

AGENDA REPORT

TO: CITY COUNCIL
FROM: CITY MANAGER FOSCOLI
SUBJECT: BROADBAND ACCESS IN FALLS CITY
DATE: DECEMBER 13, 2021

BACKGROUND

The City of Falls City has been approached by MINET to undertake a feasibility study on how much it would cost to provide fiber access to the community. Since the pandemic has exacerbated the “digital divide” between large and small towns, the availability of high-speed internet can have a significantly positive impact on rural communities. As broadband service could enhance Falls City residents’ opportunities to digital employment, it is a worthwhile endeavor to assess how financially viable the construction of a fiber network would be in the city. As this community-wide feasibility study is an eligible use of American Recovery Plan Act funds, it would not negatively impact our limited FY 2021-22 budget.

SUMMARY

Through various conversation with our state partners regarding how the federal infrastructure packages could positively impact Falls City, we have become aware that \$120 million dollars will be available to the State of Oregon to enhance broadband access in rural areas. Since these funds will not be available for allocation until Q3 of next year, now is the perfect time to undertake a feasibility study to understand what a Falls City broadband proposal to the state would look like. MINET has approached a 3rd party consultant to do a feasibility study and have proposed that Falls City partner in financially supporting this study. Since the city’s financial contribution would NOT extend to the actual build out of the fiber network, this contribution would show “skin in the game” to help bring this service to Falls City. MINET is also intending to submit an application to Polk County for their Economic Development Grant to bring the cost down even further. Attached is a proposal from CCG Consulting for \$20,000 to do the feasibility study on behalf of MINET & Falls City (and potentially Polk County as well). Since the likely buildout of the fiber infrastructure will likely be between \$2-3 million, a small investment of \$7-10,000 on the part of Falls City is a relatively small contribution.

STAFF RECOMMENDATION

Staff recommends the city to contribute in paying for the completion of a Broadband Feasibility Study for Fall City, Oregon using American Recovery Plan Act (ARPA) funds.

PROPOSED MOTION

Propose a motion to direct the City Manager to contribute in paying for the completion of a Broadband Feasibility Study for Fall City, Oregon using American Recovery Plan Act (ARPA) funds.

ATTACHMENTS

Attachment A – CCG Proposal
Attachment B – ARPA Guidelines for Eligible Uses



December 9, 2021

PJ Armstrong
Acting General Manager
MINET

Proposal for Broadband Feasibility Study for Fall City, OR

Following is our proposal for completion of a Broadband Feasibility Study for Fall City, Oregon. The purpose of our study is aimed at helping MINET and the City obtain grant funding to build fiber broadband in Fall City. We are thus proposing to give you the facts needed for MINET and the City to feel comfortable pursuing grant funding.

The proposal includes the following:

- Some basic market research including an online survey to make certain that the public is interested in a fiber network.
- An engineering estimate of the cost of building fiber in the City, including any additional costs at MINET needed to support the new market.
- A financial model that demonstrates to the MINET Board and to the Oregon Broadband Office that the project is feasible.
- A GAP analysis to document the broadband gaps in Fall City today – meaning to show that broadband there is not as good as nearby cities. This will provide the needed justification you'll need for asking for the grant.

Please let me know if you have any questions. We don't require a contract for the work, but we'll be glad to sign one if needed.

Doug Dawson
President
CCG Consulting
202 255-7689
Blackbean2@ccgcomm.com

Our Proposal

Market Research

Overall Market Research

One of the key elements required to get grant funding is some proof of existing broadband speeds. We will undertake the basic research to document the current ISPs and other research needed to define speeds for any grant filing.

Residential Survey

It's also important to estimate the number of residences in the City. This is needed to determine the amount of grant money to seek, and also important to demonstrate that a broadband business in the City is cash self-sufficient and can generate enough cash to cover expenses.

The most useful tool for understanding market demand is through an online survey. CCG has been conducting residential surveys for over twenty years. There are a few factors that are vital to create an accurate and believable survey. First, the questions asked must be unbiased and can't lead respondents into answering in a given way. CCG has administered hundreds of similar surveys and we can help you to prepare survey questions that are not biased, and for which you can then believe the answers.

Another important factor is to limit the number of questions. There is a well-known phenomenon called survey fatigue and a large percentage of people will abandon the survey if they feel it's taking too long. An online survey should not last for more than ten minutes, and hopefully for less time.

We propose to put the survey online. We'll provide links to the City and ask that you get as many people in the community as possible to take the survey. A positive survey response by the community will also benefit a grant filing since the State is going to value knowing that citizens are behind the broadband project. We can discuss techniques that other communities have used to get a good response to surveys.

Business Survey

We also propose creating an online business survey. This has a different structure than the residential survey because we ask businesses to tell us their broadband story. We want to know if current broadband is adequate, and if not, what problems are businesses seeing. We also want to know what businesses could do better if they got better broadband. We would also ask your help to distribute the business survey.

Speed Tests

Finally, we'll want to ask residents and businesses to take a speed test if they have home broadband. This is the best evidence of the actual broadband speeds in the City – as compared to the speeds the current ISPs claim are being delivered.

Pre-Engineering

We propose a high-level engineering analysis with the goal of understanding the overall cost of building a fiber/broadband network. This sort of engineering is done from our offices. We've worked with MINET for many years, and we would rely on you to answer some basic questions about the City. Our goal in network design is to get as close as we can to the cost of building a network while remaining slightly conservative to allow for variances.

The goal at the feasibility stage of the project is to do just enough work to make a good estimate of the cost of the network without spending a lot of money doing any detailed field engineering. We have completed hundreds of these types of estimates and find this high level of engineering is sufficient for feasibility study completion and grants. This preliminary high-level design and is not wasted, since it is also used as the starting point for getting the network constructed.

We want to work with the City and MINET to gather needed information needed to make the best engineering estimates. This might include maps, GIS data, diagrams of existing fiber and other assets, maps of the service areas of incumbent providers, etc.

We will also be evaluating all the assets needed to build and operate the network. This would include such things as the electronics needed to provide services over the network, the service drops and electronics needed to serve customers, and the other electronics needed to provide broadband services.

We will build in a construction contingency depending upon how good we feel about all of the assumptions used in the study. We also do something in our business plans that many other consultants don't do. We know that assets have to be replaced. For example, vehicles rarely last more than five years. The core electronics are going to be obsolete within 7-10 years. The fiber is likely to have a lifespan that will far exceed 50 years but there will still have to be repairs made every year. We make sure that we build replacement costs into the business plan so that we can always make sure that you will have sufficient cash in future years to cover these routine and predictable events.

Financial Feasibility Models

We also propose to create a financial feasibility model for the ISP business in the City. This is going to be needed by the MINET Board to make sure that the project makes sense for MINET. At least some of the information in this analysis is also going to be needed for a grant filing – we don't exactly what yet since the State hasn't generated the rules for the grant filing.

CCG Consulting has prepared hundreds of financial business plans for clients. We have studied and helped implement almost every conceivable type of competitive communications network and venture. Through years of this experience, we have refined our business plan models such that they are thorough, focused, and grounded in experience. Our business plans are not pie-in-the-sky since we have extensive experience of how companies function after they build the network.

Our business plans are done from an incremental perspective. That means we will estimate the new revenues, new expenses, new capital spending, and new debt involved in bringing broadband to the market. In some, or possibly all of these scenarios there also might be an opportunity for grant funding.

We normally build our models to coincide with the expected length of the debt to be sure that there are no underlying assumptions that eventually mean trouble. Our models are banker-ready and will be sufficient to seek financing or to use for writing grants. Many bankers have remarked that ours are the best telecom business plan they have ever seen.

All of CCG's business plans provide a monthly level of detail for the first two years of operation. Subsequent years are provided on an annual basis. Our models are so detailed and easy to use that many of our clients often utilize our models as budgetary and ongoing management control tools. The models include the full set of normal financial statements.

We also will perform what we call sensitivity analysis. This will test each of the most important variables so that you can understand the range of results you might see in actual practice. We know that changes in key variables like customer penetration rate, and the interest rate on debt will have a big influence on the financial results. Once we've created a base study we will kick the tires on the key variables so that you can understand how they affect financial performance.

Our financial format creates GAAP accounting financial reports. This means that in addition to looking at the capital and operating costs that we also calculate depreciation and amortization expense, look at the cash needed to float accounts payable, etc.

GAP Analysis

A gap analysis looks in detail at the current broadband situation in the City. The gap analysis has several goals:

- The primary reason for the GAP analysis is that it will provide a justification for why the City needs better broadband. This is the primary thing you'll have to document in any grant request.
- We'll also look at what the FCC and the State believe think about the broadband situation is in the City. We typically find that the ISPs will have overstated broadband speeds when sending data to the FCC, and any grant filing will need to dispel any exaggerations in the official records.
- We will also look at all of the other gaps like the gaps in broadband affordability, or homes without computers or computer training. These also support the grant request.

Written Report

We will provide a written report that will describe the results of our analysis. This will cover each of the above tasks.

The written report will be authored by Doug Dawson of CCG Consulting. Doug writes these reports in plain English with the target audience being elected officials and the public – we do our best to avoid industry jargon whenever possible. Doug has a casual writing style that the public seems to like.

Doug also has been writing a daily telecom blog since 2013 called Pots and Pans by CCG, found at <https://potsandpansbyccg.com/>. You can see more of Doug's writing style and also the wide range of topics that are covered by CCG.

Presentation of Results

We will prepare a PowerPoint summarizing our findings and make a presentation to anybody at your end that you think ought to hear about the report.

Proposed Pricing

Note that the following fee does not include completing any grant requests. That would be extra if you need help, but there is a good chance that MINET can tackle the majority of the grant request. Our study provides all of the facts needed for a grant request.

The following price is a fixed fee. We bill on a monthly basis as work is performed. We do not require a retainer. We are not anticipating any travel expenses or other fees for this project.

Broadband Feasibility Study

\$ 20,000

CCG CONSULTING Background and Experience

CCG Consulting is a Delaware corporation in good standing. We've done work in all fifty states. When our company started, we had headquarters in Riverdale, Maryland along with two field offices in Texas. Since then our company has gone virtual and we are 100% home-based. Doug Dawson, the president now lives in Asheville, NC. Our website is <http://www.ccgcomm.com>.

CCG was founded by Doug Dawson in 1997. Since then we have grown to become the largest telecom consulting company in the country in terms of clients. Since our inception, we have worked with 1,100 clients. Among those clients are a mix of fiber overbuilders, telcos, cable companies, cooperatives, municipalities, and wireless companies.

CCG is a full-service telecom consulting firm, meaning that we can help with a broad array of services that are needed by broadband providers. CCG has one of the broadest technical knowledge bases in the industry because we work with almost every kind of network possible including fiber, copper, HFC/coaxial, and a wide variety of wireless technologies. We work with clients that serve farms and rural areas and other clients who work in NFL cities. This wide range of client work means that we have to stay current and on the cutting edge of technology to anticipate the needs of tomorrow. Our company has been named for the past seven years as one of the Top 100 Broadband Companies in America by Broadband Properties Magazine.

CCG specializes in the following areas. We specialize in helping businesses to get started, to open new markets and to stay profitable once in the business. Some of our areas of expertise include:

Planning Services. Strategic Planning, Policy Development, Business Plan and Feasibility Studies, Assistance with Financing

Regulatory Services. Interconnection Agreements, Certification Assistance, Regulatory Compliance, Tariff Creation

Marketing Services. New Product Development and Implementation, Market Research, Marketing Plan Development, Development of Pricing, Packaging and Promotional Programs

Implementation Services. Timelines and Gantt Charts, Customer Service and Billing Platforms, Hiring and Training, Setting Sales Quotas and Sales Training, Number Portability, Finding Vendors

Engineering Services. Facilities-based Network Design and Optimization, Design Central Office Facilities, Network Interconnections, Sizing, Ordering and Implementing the Network, Network Migration Strategies, Detailed Customized RFPs, Vendor Selection

Contract Negotiations. Contract Mediation and Dispute Resolution, Local Exchange, Utility and Municipal Agreements, Right of Way and Pole Attachment Fees

Partnership Opportunities. Financing Solutions, Strategic Alliances, Third Party Relationships, Outsourcing of Non-strategic Competencies

Doug Dawson, the President of CCG writes a daily telecom blog for small carriers at <http://potsandpansbyccg.com>. We suggest that you look at the blog and you will see a sample of the wide range of topics we cover. We look not only at the current market, but we are focused on what the industry might become in the next five to ten years. We don't think there are any other consultants who spend as much effort in looking into the future.

GUIDANCE FOR THE CORONAVIRUS CAPITAL PROJECTS FUND *FOR STATES, TERRITORIES & FREELY ASSOCIATED STATES*

U.S. Department of the Treasury





GUIDANCE FOR THE CORONAVIRUS CAPITAL PROJECTS FUND FOR STATES, TERRITORIES & FREELY ASSOCIATED STATES

U.S. Department of the Treasury | September 2021

INTRODUCTION

The U.S. Department of the Treasury (Treasury) is issuing this guidance regarding the Coronavirus Capital Projects Fund (Capital Projects Fund), established by Section 604 of the Social Security Act (the Statute), as added by Section 9901 of the American Rescue Plan Act of 2021 (American Rescue Plan). This guidance provides a summary of project eligibility and terms and conditions, as well as information about the process for applying for a grant under the Capital Projects Fund program. This guidance may be updated, revised, or modified, and Treasury may waive these standards to the extent permitted by law.

The American Rescue Plan appropriated \$10 billion to Treasury to provide payments to States, territories, freely associated states, and Tribal Governments “to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID-19).” Treasury has separately published the allocations available to each eligible entity in accordance with Section 604(b), which is available at: treasury.gov/CPF.

Although this is not a competitive grant program, States, territories, and freely associated states must submit an Application and a Grant Plan; for Tribal Governments, the Application also serves as their Grant Plan.

The Capital Projects Fund allows for investment in high-quality broadband infrastructure as well as other connectivity infrastructure, devices, and equipment. Treasury encourages consultation with the statewide entity or office that oversees broadband planning and implementation, where such an entity or office exists, when planning for the use of Capital Projects Fund grant funding. In addition to supporting broadband, it also provides flexibility for each State, territory, freely associated state, and Tribal Government to make investments in other Capital Projects designed to directly enable work, education, and health monitoring and that meet Treasury’s other criteria. The Capital Projects Fund also provides flexibility for each Recipient to identify communities to be served by Capital Projects, so long as the Recipient can demonstrate that said communities have critical needs related to work, education, and health monitoring that the Capital Project intends to address.

Treasury expects many Recipients will choose to use Capital Projects Fund grant funding for Broadband Infrastructure Projects. The COVID-19 public health emergency highlighted that access to high-quality internet can enable work, education, and health access, and that individuals and communities that lack affordable access to such high-quality internet are at a marked disadvantage. Investing in broadband for communities sensitive to or that have historically experienced these inequities will be critical for improving digital equity and opportunity, especially in the case of communities that currently lack access to the affordable, reliable, high-quality broadband internet that is necessary for full participation in school, healthcare, employment, social services, government programs, and civic life.

AGENDA REPORT

TO: CITY COUNCIL
FROM: CITY MANAGER FOSCOLI
SUBJECT: HEATING & ELECTRICAL UPGRADES TO THE LUCKIAMUTE CLINIC
DATE: DECEMBER 13, 2021

BACKGROUND

The City of Falls City has worked very hard in the past two years to bring the Luckiamute Clinic back to its former glory. This wonderful piece of Falls City history had fallen into disrepair, but through an investment using defederalized dollars from the Polk County Revolving Loan Fund, the building was renovated to accommodate tenants. Unfortunately, in the beginning of the project, funds were only allocated for a structural renovation to make sure that the building was occupiable, but due to lack of additional financial leeway, the electrical system, and more importantly, the heating system upgrades had to be put off. The hope was that these needed upgrades could be undertaken after a year of tenancy, but as the conditions to keep all tenants in the building as we move into the cold fall and winter months has become dire, the upgrades can no longer wait. This situation however couldn't have come at a better time, as the city did receive American Recovery Plan Act (ARPA) dollars that can be expended on HVAC needs of city facilities, especially if the buildings are used for community activities, such as non-profit events benefiting the residents.

SUMMARY

As previously stated in council meetings, the use of ARPA funds have very specific limitations, but as HVAC upgrades to city facilities is an eligible use, it would be in the best interest of the council to support the electrical system and heating system upgrades for the Luckiamute Clinic, in order for the community to benefit from its use year-round, and not only during the warmer months. Since the city has already invested a sizable amount (approximately \$100,000) to ensure that the community does not lose one of its most important landmarks, and has now regained a place to house both local businesses, event space, and community oriented classes, it would be advisable to ensure its use for years to come with proper electrical and HVAC systems. The city received 2 bids for the HVAC work by CoolSys (Attachment A & B) and Home Comfort (Attachment C & D) and one bid for the electrical work from Northside Electric (Attachment E) to upgrade the electrical panel. Both HVAC bids are within \$400 of each other for both a full upgrade, or simple furnace replacement.

STAFF RECOMMENDATION

Staff recommends the city to pay for electrical and heating upgrades to the Luckiamute Clinic using American Recovery Plan Act (ARPA) funds.

PROPOSED MOTION

Recommend a motion to direct the City Manager to pay for electrical and heating upgrades to the Luckiamute Clinic using American Recovery Plan Act (ARPA) funds.

ATTACHMENTS

Attachment A – CoolSys HVAC
Attachment B – CoolSys Furnace
Attachment C – Home Comfort HVAC
Attachment D – Home Comfort Furnace
Attachment E – Northside Electric



11/8/2021

City of Fall City
Jamie Ward
304 N Main St
Fall City, OR 97344

RE: Install Multihead Ductless

Scope of work to include the following:

- Install 5 Indoor Unit Ductless Heat pump
- Install outdoor unit on a preformed ultralight pad
- Install 3 7Kbtu wall cassetts in upstairs rooms
- Install 1 18K btu ducted underfloor unit for first floor rooms
- Install 1 15K btu floor mount unit in 1st floor front room
- All refrigerant piping and Drains
- New electrical disconnect and circuit by Electrician
- All labor and Materials for complete installation
- all permits and inspections
- Full Start-upand performace evaluation

Materials	\$	15,948.00
Labor	\$	10,978.00
Total	\$	26,926.00

NOTE:

****Due to unstable pricing on material markets, pricing shown is subject to change without notice. This proposal is valid a period of fifteen days (15) from the date of this document.**

****This proposal does not account for cost increases related to and not limited to natural disasters, abnormal market conditions, or a public health crisis. This includes material escalation, critical path delay, unexpected overtime, or other related inefficiencies.**

****Although we strive for accuracy in our quoting process, any unforeseen and previous condition causing a code compliance issue (i.e existing electrical problems/gas plumbing issues) will be remedied at an additional cost to the property owner and will not be considered to be within the scope of this contract unless otherwise noted.**

We appreciate this opportunity and look forward to your approval to proceed.

Regards,



Stevan Mussatti
Greater Oregon HVAC Team Lead
503.302.8232
smussatti@coolsys.com
www.CoolSys.com

www.coolsys.com



11/8/2021

City of Fall City
Jamie Ward
304 N Main St
Fall City, OR 97344

RE: Thermopride Oil Furnace

Scope of work to include the following:

- Removal and disposal of Old Furnace and Oil tank
- Install new oil tank on existing Pad
- Install New oil furnace
- Install New Stainless Chimney Liner for Code compliance
- Install new Oil lines and Filter from New tank
- Install new Honeywell Programmable Thermostat
- Adptation to existing Electrical
- Adaptation to existing Ductwork
- All labor and Materials for complete installation
- all permits and inspections
- Full Start-up and performance evaluation

Materials	\$	5,931.00
Labor	\$	6,092.00
Total	\$	12,023.00

NOTE:

****Due to unstable pricing on material markets, pricing shown is subject to change without notice. This proposal is valid a period of fifteen days (15) from the date of this document.**

****This proposal does not account for cost increases related to and not limited to natural disasters, abnormal market conditions, or a public health crisis. This includes material escalation, critical path delay, unexpected overtime, or other related inefficiencies.**

****Although we strive for accuracy in our quoting process, any unforeseen and previous condition causing a code compliance issue (i.e existing electrical problems/gas plumbing issues) will be remedied at an additional cost to the property owner and will not be considered to be within the scope of this contract unless otherwise noted.**

We appreciate this opportunity and look forward to your approval to proceed.

Regards,



Stevan Mussatti
Greater Oregon HVAC Team Lead
503.302.8232
smussatti@coolsys.com
www.CoolSys.com

www.coolsys.com

Proposal submitted to:

Name: Luckiamute Clinic- Main Floor Front Room
 Address: 304 N. Main St
 City, State & Zip: Falls City, OR 97344
 Email: jward@fallscityoregon.gov
 Phone: 971-304-5555 Cell:

Proposal: 356D7-211110-1156
 Date: November 10, 2021
 Consultant: Bernie
 Invoice:
 PO Number:

Equipment

Best	Better	Good	Base
<p>A-NKA7-OUT Mitsubishi Ductless</p>  <p>36K BTU, Single Zone Outside Warranty Summary</p> <p>MITSUBISHI ELECTRIC P-SERIES 7 Years Compressor 5 Years Parts*</p> <p>*Complete warranty details are available from your local dealer.</p>			
<p>KA-WALL Mitsubishi Ductless</p>  <p>36K BTU, Single Zone Inside Wall</p>			

Installation Additions

	Best	Better	Good	Base
Line set: 10 ft. 5/8 and 3/8 copper line set and wire	✓			
2.5 @ \$154.00	\$385.00			
Line set: 4" line set cover per 10'	✓			
2 @ \$152.00	\$304.00			
Miscellaneous : Mechanical Permit Commercial	✓	✓	✓	✓
1 @ \$300.00	\$300.00	\$300.00	\$300.00	\$300.00

Rebates and Credits

	Best	Better	Good	Base
Home Comfort Inc Current Customer	2.00%			

PROPOSAL

Investment Summary

	Best	Better	Good	Base
Equipment	\$8,381.00			
Enhancements & accessories				
Installation additions	\$989.00	\$300.00	\$300.00	\$300.00
Rebates & credits	(\$187.00)	\$0.00	\$0.00	\$0.00
Total due for system	\$9,183.00	\$300.00	\$300.00	\$300.00
Direct rebates	\$0.00	\$0.00	\$0.00	\$0.00
Total investment	\$9,183.00	\$300.00	\$300.00	\$300.00

Financing Options*

*Subject to financing approval

	Best	Better	Good	Base
Finance plan:	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)
Total due for system	\$9,183.00	\$300.00	\$300.00	\$300.00
Financing discount	\$0.00	\$0.00	\$0.00	\$0.00
Due after discount	\$9,183.00	\$300.00	\$300.00	\$300.00
Down payment	\$0.00	\$0.00	\$0.00	\$0.00
Amount financed	\$9,183.00	\$300.00	\$300.00	\$300.00
Term (months)	120	120	120	120
Annual interest rate	9.990%	9.990%	9.990%	9.990%
Monthly payment:	\$121.30	\$3.96	\$3.96	\$3.96

Credit Card Payment Option

	Best	Better	Good	Base
Total due for system	\$9,183.00	\$300.00	\$300.00	\$300.00
Deposit due at signing	\$4,592.00	\$150.00	\$150.00	\$150.00
Amount due at installation	\$4,591.00	\$150.00	\$150.00	\$150.00

Cash Payment Option

	Best	Better	Good	Base
Total due for system	\$9,183.00	\$300.00	\$300.00	\$300.00
Discount for cash payment	\$275.00	\$9.00	\$9.00	\$9.00
Total due for system after discount	\$8,908.00	\$291.00	\$291.00	\$291.00
Deposit due at signing	\$4,592.00	\$150.00	\$150.00	\$150.00
Amount due at installation	\$4,316.00	\$141.00	\$141.00	\$141.00

Installation Includes

Heating Installation Includes:

Labor, connection to existing gas line, connection to existing flue, connection to existing condensate, duct connections to existing ductwork, sealing all building penetrations, and removing existing equipment. The job site will be left clean, completed in a timely manner, and will meet or exceed industry standards.

Cooling Installation Includes:

Labor, line-set, line-set cover, sealing all building penetrations, connections to existing condensate, duct connections to existing ductwork, and removing existing equipment. The job site will be left clean, completed in a timely professional manner, and will meet or exceed industry standards.

Notes

Customer name:
Luckiamute Clinic- Main Floor Front

PROPOSAL

Proposal number:
356D7-211110-1156

Acknowledgment and Signature

I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

Customer has selected the _____ option

Customer name	Luckiamute Clinic- Main Floor Front
Signature	
Date	

Terms and Conditions

All work to be performed in a neat and professional manor by journeyman class technicians. Sweeping, dusting, and cleaning will be accomplished at the conclusion of each day's work and all debris removed from premises.

It is agreed and understood that all parts which are sold pursuant hereto shall not become fixtures or part of the real estate where they are placed. Said parts and equipment shall at all times remain personal property and the title thereto shall remain in the seller until payment in full is received. Buyer hereby agrees that all parts and equipment may be repossessed in the event of non-payment.





I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

Proposal submitted to:

Name: Luckiamute Clinic Main Floor Offices
 Address: 304 N. Main St
 City, State & Zip: Falls City, OR 97344
 Email: jward@fallscityoregon.gov
 Phone: 971-304-5555 Cell:

Proposal: 356D7-211110-1212
 Date: November 10, 2021
 Consultant: Bernie
 Invoice:
 PO Number:

Equipment

Best	Better	Good	Base
MXZC-OUT Mitsubishi Ductless  30K BTU, Multi Zone Outside Residential Warranty Summary MITSUBISHI ELECTRIC M-SERIES 12 Years Compressor 12 Years Parts* *Complete warranty details are available from your local dealer.			
GL-WALL-HP Mitsubishi Ductless  12K BTU, Single/Multi Zone Inside Wall			
GL-WALL-HP Mitsubishi Ductless  12K BTU, Single/Multi Zone Inside Wall			
GL-WALL-HP Mitsubishi Ductless  12K BTU, Single/Multi Zone Inside Wall			

Installation Additions

	Best	Better	Good	Base
Line set: 4" line set cover per 10'	✓	✓	✓	✓
7 @ \$152.00	\$1,064.00	\$1,064.00	\$1,064.00	\$1,064.00
Line set: 10 ft. 3/8 and 1/4 copper line set and wire	✓	✓	✓	✓
9 @ \$116.00	\$1,044.00	\$1,044.00	\$1,044.00	\$1,044.00

Customer name:
Luckiamute Clinic Main Floor Offices

PROPOSAL

Proposal number:
356D7-211110-1212

Rebates and Credits

	Best	Better	Good	Base
Home Comfort Inc Current Customer	2.00%			

Investment Summary

	Best	Better	Good	Base
Equipment	\$7,785.00			
Enhancements & accessories				
Installation additions	\$2,108.00	\$2,108.00	\$2,108.00	\$2,108.00
Rebates & credits	(\$198.00)	\$0.00	\$0.00	\$0.00
Total due for system	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Direct rebates	\$0.00	\$0.00	\$0.00	\$0.00
Total investment	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00

Financing Options*

*Subject to financing approval

	Best	Better	Good	Base
Finance plan:	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)
Total due for system	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Financing discount	\$0.00	\$0.00	\$0.00	\$0.00
Due after discount	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Down payment	\$0.00	\$0.00	\$0.00	\$0.00
Amount financed	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Term (months)	120	120	120	120
Annual interest rate	9.990%	9.990%	9.990%	9.990%
Monthly payment:	\$128.07	\$27.85	\$27.85	\$27.85

Credit Card Payment Option

	Best	Better	Good	Base
Total due for system	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Deposit due at signing	\$4,848.00	\$1,054.00	\$1,054.00	\$1,054.00
Amount due at installation	\$4,847.00	\$1,054.00	\$1,054.00	\$1,054.00

Cash Payment Option

	Best	Better	Good	Base
Total due for system	\$9,695.00	\$2,108.00	\$2,108.00	\$2,108.00
Discount for cash payment	\$291.00	\$63.00	\$63.00	\$63.00
Total due for system after discount	\$9,404.00	\$2,045.00	\$2,045.00	\$2,045.00
Deposit due at signing	\$4,848.00	\$1,054.00	\$1,054.00	\$1,054.00
Amount due at installation	\$4,556.00	\$991.00	\$991.00	\$991.00

Installation Includes

Heating Installation Includes:

Labor, connection to existing gas line, connection to existing flue, connection to existing condensate, duct connections to existing ductwork, sealing all building penetrations, and removing existing equipment. The job site will be left clean, completed in a timely manner, and will meet or exceed industry standards.

Cooling Installation Includes:

Labor, line-set, line-set cover, sealing all building penetrations, connections to existing condensate, duct connections to existing ductwork, and removing existing equipment. The job site will be left clean, completed in a timely professional manner, and will meet or exceed industry standards.

Notes

Acknowledgment and Signature

I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

Customer has selected the _____ option

Customer name	Luckiamute Clinic Main Floor Offices
Signature	
Date	

Terms and Conditions

All work to be performed in a neat and professional manor by journeyman class technicians. Sweeping, dusting, and cleaning will be accomplished at the conclusion of each day's work and all debris removed from premises.

It is agreed and understood that all parts which are sold pursuant hereto shall not become fixtures or part of the real estate where they are placed. Said parts and equipment shall at all times remain personal property and the title thereto shall remain in the seller until payment in full is received. Buyer hereby agrees that all parts and equipment may be repossessed in the event of non-payment.




I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

Proposal submitted to:

Name: Luckiamute Clinic- Upstairs
 Address: 304 N Main St
 City, State & Zip: Falls City, OR 97344
 Email: jward@fallscityoregon.gov
 Phone: 971-304-5555 Cell:

Proposal: 356D7-211110-1519
 Date: November 10, 2021
 Consultant: Bernie
 Invoice:
 PO Number:

Equipment

Best	Better	Good	Base
MXZC-OUT Mitsubishi Ductless  30K BTU, Multi Zone Outside Residential Warranty Summary MITSUBISHI ELECTRIC M-SERIES 12 Years Compressor 12 Years Parts* *Complete warranty details are available from your local dealer.			
GL-WALL-HP Mitsubishi Ductless  12K BTU, Single/Multi Zone Inside Wall			
GL-WALL-HP Mitsubishi Ductless  15K BTU, Single/Multi Zone Inside Wall			

Installation Additions

	Best	Better	Good	Base
Line set: 4" line set cover per 10'	✓	✓	✓	✓
3 @ \$152.00	\$456.00	\$456.00	\$456.00	\$456.00
Line set: 10 ft. 3/8 and 1/4 copper line set and wire	✓	✓	✓	✓
12 @ \$116.00	\$1,392.00	\$1,392.00	\$1,392.00	\$1,392.00

Rebates and Credits

Best	Better	Good	Base	Page 71
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Customer name:
Luckiamute Clinic- Upstairs

PROPOSAL

Proposal number:
356D7-211110-1519

Home Comfort Inc Current Customer

2.00%

PROPOSAL

Investment Summary

	Best	Better	Good	Base
Equipment	\$6,720.00	\$0.00	\$0.00	\$0.00
Enhancements & accessories				
Installation additions	\$1,848.00	\$1,848.00	\$1,848.00	\$1,848.00
Rebates & credits	(\$171.00)	\$0.00	\$0.00	\$0.00
Total due for system	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Direct rebates	\$0.00	\$0.00	\$0.00	\$0.00
Total investment	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00

Financing Options*

*Subject to financing approval

	Best	Better	Good	Base
Finance plan:	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)	6 NINP - 9.99% 120 months (COVID-19 promo) (4632)
Total due for system	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Financing discount	\$0.00	\$0.00	\$0.00	\$0.00
Due after discount	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Down payment	\$0.00	\$0.00	\$0.00	\$0.00
Amount financed	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Term (months)	120	120	120	120
Annual interest rate	9.990%	9.990%	9.990%	9.990%
Monthly payment:	\$110.92	\$24.41	\$24.41	\$24.41

Credit Card Payment Option

	Best	Better	Good	Base
Total due for system	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Deposit due at signing	\$4,199.00	\$924.00	\$924.00	\$924.00
Amount due at installation	\$4,198.00	\$924.00	\$924.00	\$924.00

Cash Payment Option

	Best	Better	Good	Base
Total due for system	\$8,397.00	\$1,848.00	\$1,848.00	\$1,848.00
Discount for cash payment	\$252.00	\$55.00	\$55.00	\$55.00
Total due for system after discount	\$8,145.00	\$1,793.00	\$1,793.00	\$1,793.00
Deposit due at signing	\$4,199.00	\$924.00	\$924.00	\$924.00
Amount due at installation	\$3,946.00	\$869.00	\$869.00	\$869.00

Installation Includes

Heating Installation Includes:

Labor, connection to existing gas line, connection to existing flue, connection to existing condensate, duct connections to existing ductwork, sealing all building penetrations, and removing existing equipment. The job site will be left clean, completed in a timely manner, and will meet or exceed industry standards.

Cooling Installation Includes:

Labor, line-set, line-set cover, sealing all building penetrations, connections to existing condensate, duct connections to existing ductwork, and removing existing equipment. The job site will be left clean, completed in a timely professional manner, and will meet or exceed industry standards.

Notes

Customer name:
Luckiamute Clinic- Upstairs

PROPOSAL

Proposal number:
356D7-211110-1519

Acknowledgment and Signature

I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

Customer has selected the _____ option

Customer name	Luckiamute Clinic- Upstairs
Signature	
Date	

Terms and Conditions

All work to be performed in a neat and professional manor by journeyman class technicians. Sweeping, dusting, and cleaning will be accomplished at the conclusion of each day's work and all debris removed from premises.

It is agreed and understood that all parts which are sold pursuant hereto shall not become fixtures or part of the real estate where they are placed. Said parts and equipment shall at all times remain personal property and the title thereto shall remain in the seller until payment in full is received. Buyer hereby agrees that all parts and equipment may be repossessed in the event of non-payment.

I have the authority to order the work as outlined above. I agree to pay all costs and reasonable attorney's fees if this proposal is placed in the hands of an attorney for collection.

HOME COMFORT Inc

HEATING & AIR CONDITIONING

1827 S Main St
PO Box 109
Dallas, OR 97338
503-623-2341
www.HomeComfortInc.com
CCB113253

Attachment D

Customer Name	Luckiamute Clinic
Customer Address	304 N. Main St. Falls City, OR 97344
Customer Phone	971-304-5555 (Jamie)
Customer E-Mail	jward@fallscityoregon.gov

Summary of Work:

Replace existing oil furnace.

Option 1 Detailed Summary

Install Lennox Oil furnace. Includes ductwork, labor, flue, mechanical permit, supplies needed for replacement and removal of old equipment.

	Proposal Price	\$	11,607.00
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Option 2 Detailed Summary

	Proposal Price	\$	
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Option 3 Detailed Summary

	Proposal Price	\$	
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Lennox Warranty: 10 year limited parts (after you register your product online) and 1 year labor, commercial is 1 year.

Consult: Your tax accountant to verify eligibility and exact amount of tax credits. Ductless warranties: Vary by brand, please ask.

Low Price Guarantee: Present written quote by another licensed, bonded, insured HVAC company. Home Comfort will determine whether it is equal.

Heat pump rebates require an airflow test of ducting – failure may eliminate the rebate or tax credits, correction of issues will be at additional cost.

Options/Other Work (Electrical, Plumbing, Construction)

Type	Description	Yes / No	\$	-
		Yes / No	\$	-
		Yes / No	\$	-
		Yes / No	\$	-

Terms & Conditions:

All material is guaranteed to be as specified. All work will be completed in a workman-like manner according to standard practices. Any alteration or deviation from the specifications on page 1 involving extra cost will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner or builder is to carry fire, theft and all other necessary insurance. Our workers are fully covered by workman's compensation insurance. In the event of law suit or action, including any arbitration or bankruptcy proceeding, arising out of this agreement shall be governed by and construed in accordance with the laws of the state of Oregon. Proper jurisdiction and venue shall be Polk County, Oregon. The liability of the individuals signing for the customer shall be joint and several. Payment will be made as outlined above. In the event payment is not made according to signed agreement the following will apply: Your signature is evidence of your agreement to late or no pay terms. Home Comfort Inc. has the right to charge 2% per month of outstanding invoice(s) total until said payment(s) are made in full with finance charges. Home Comfort Inc. will turn unpaid contracts over to collections after 45 days. Customer will be held liable and agrees to pay all finance, legal and service fees related to settling an unpaid contract. Home Comfort Inc. has the right to lien the above job address property if payments are not made as outlined. Home Comfort Inc. is not liable for any mold or fungus in or around the HVAC system or house. Price increases will occur without notice in the event of material cost increase. Material cost increases will not affect previously signed contracts. Home Comfort Inc. is NOT responsible for any existing code violations or pre-existing conditions of any duct work, piping, electrical supplies or equipment NOT being replaced at this time. If additional work is required, it will be the Customer's responsibility. Any additional charges will be quoted by Home Comfort Inc. OR any other Sub-Contractor prior to the start of said additional work. At the time the customer will either approve or decline the additional recommended work prior to that work being started. This proposal price is good for 15 days only.

Balance Due Upon Completion

X
Customer Acceptance: Sign & Date

X
Representative: Sign & Date

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ACCEPTANCE OF CONTRACT: The above investment, specifications and conditions are hereby accepted. Buyer (1) authorizes Home Comfort Inc to do the work as specified, (2) will make payment for the job as outlined under TERMS, and (3) acknowledges that the undersigned buyer has read "INFORMATION NOTICE TO OWNER ABOUT CONSTRUCTION LIENS", "CONSUMER NOTIFICATION" and "OWNERS DUTY TO NOTIFY CONTRACTOR". There is no agreement, verbal or otherwise, which is not written in this Proposal.

Northside Electric

Proposal

To: City of Falls City Attn: Jamie	Email/Fax: jward@fallscityoregon.gov 971.304.5555
Date: November 18, 2021	Proposal: CC-0491
Address: 299 Mill St Falls City OR 97344	Re: Circuits 320 N Main St Falls City OR 97344

We hereby propose to furnish all labor, material, necessary to provide for the installation below in accordance with the following specifications and subject to the conditions stated on page 2 of this proposal.

Including

Scope 1

- Install new 15a circuit in clinic
 - Currently only one circuit
- Trouble shoot tripped breaker for upstairs circuit
- Minor label permit

Price \$775

Notes:

- Assumes that all work will be performed during regular business hours. Mon-Fri, 8AM-4PM.

Sign and return one copy of this proposal before work can begin. Thank You.

Submitted By: Chuck Church Date: 11/18/2021

Accepted By: _____ Date: _____ **Page 77**

Terms and Conditions

1. **WIRING STANDARD:** All workmanship and materials are to comply with the requirements of the National Electrical Code and the applicable local ordinances and the electrical plans and specifications specifically applicable to the job.
2. **SCOPE OF WORK:** Unless specifically stated otherwise in this proposal, the scope of work covered by this proposal is limited to that work specifically covered by the electrical drawings and the electrical section of the specifications.
3. **LIGHTING FIXTURES:** Unless specifically included in the electrical drawings and the electrical section of the specifications or specifically stated in this proposal, the furnishings and installing of electrical lighting fixtures and lamps are not included in this proposal.
4. **ADDITIONAL WORK OR CHANGES:** Additional work or changes may be ordered in writing by the customer at any time, for which the customer agrees to pay in addition to the contract price named herein at a price agreed upon or at our regular rates for time and material work.
5. **WRITTEN CHANGE ORDERS:** The electrical contractor shall receive written orders for all additional work or changes signed by an authorized person before proceeding with such extra work or changes.
6. **PAYMENTS FOR ADDITIONAL WORK OR CHANGE ORDERS:** Payments for additional work and changes shall be made under the same terms and conditions as are embodied in the original contract.
7. **CONTRACT PAYMENTS:** The electrical contractor shall not be required to proceed with the installation of the work if the payments applying on same have not been made as specified in the contract.
8. **UNAVOIDABLE INTERRUPTIONS:** It is hereby mutually agreed that the electrical contractor shall not be held responsible or liable for any loss, damage or delay caused by fire, strikes, civil or military authority or any other cause beyond his control.
9. **CHARGES TO THE ELECTRICAL CONTRACTOR:** The electrical contractor shall not be liable for any drywall repair and painting required due to nature of installation, charges for temporary wiring, electrical energy, heat, job cleanup, hoisting, job telephone, job office or storage space, etc., unless specifically so stated in this proposal.
10. **LIQUIDATED DAMAGES:** The electrical contractor shall not be liable for any charges for liquidated damages resulting from delay in completion of the work caused by factors beyond his control.
11. **TRANSFER OF TITLE:** If the customer disposes of real estate by sale or otherwise, the full amount remaining unpaid on this contract becomes due at once and payable within 48 hours after date of such disposal.
12. **ARBITRATION:** Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, and Judgment upon the award rendered may be entered in any Court having jurisdiction thereof. Monetary damage awards shall include appropriate interest, and reasonable attorney's fees may be awarded to the prevailing party.
13. **DEFAULT:** In case of default, reasonable attorney's fees and/or other collection the defaulting party in addition to other amounts due will pay costs incurred by the other party.

AGENDA REPORT

TO: CITY COUNCIL
FROM: CITY MANAGER FOSCOLI
SUBJECT: LAND SALE TO FALLS CITY FROM POLK COUNTY
DATE: DECEMBER 13, 2021

BACKGROUND

The City of Falls City has been approached by Polk County to purchase a 2.3 acre parcel of land in Falls City that is residentially zoned for \$1.

SUMMARY

Update to Council – See Attachment

STAFF RECOMMENDATION

None at this time

PROPOSED MOTION

N/A

ATTACHMENTS

Attachment A – 139 Sheldon Ave. correspondence with Polk County

Jamie Ward

From: AJ Foscoli
Sent: Friday, December 10, 2021 10:57 AM
To: AJ Foscoli
Subject: RE: 2.3 AC parcel in Falls City

Regards,

AJ Foscoli
City Manager
(503) 787-3631

From: Smith, Morgan <smith.morgan@co.polk.or.us>
Sent: Tuesday, November 16, 2021 8:18 AM
To: AJ Foscoli <Manager@fallscityoregon.gov>
Cc: Gordon, Jeremy <gordon.jeremy@co.polk.or.us>
Subject: Re: 2.3 AC parcel in Falls City

Good Afternoon Mr. Foscoli,

I went to our environmental health folks to see if we had any complaints about the property, all they had for the past 5 years was the attached, regarding solid waste accumulation, along with other complaints. Beyond that, no records here at the county for other environmental concerns. If the City wants to have an environmental analysis of the property you are free to go upon the land and do so. Let me know if you need anything else from us.

Morgan

Morgan Smith
Polk County Counsel
Smith.Morgan@co.polk.or.us
(503) 623-8173, ext 1343
(503)623-0896 Fax

Notice: This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

On Wed, Nov 10, 2021 at 3:31 PM AJ Foscoli <Manager@fallscityoregon.gov> wrote:

Hello Morgan,

I was planning on emailing you yesterday, but the day got away from me.

My council on Monday expressed a guarded interest in the 2.3 acre parcel. They'd like to proceed cautiously regarding the purchase due to environmental concerns that might make it challenging for Falls City to maintain ownership.

I'd like to alleviate their concerns somehow and wanted to know if there's any existing documentation that could help in that regard.

I'd love to bring this up to them again soon, with such information in hand.

I look forward to hearing from you.

Regards,

AJ Foscoli

City Manager

(503) 787-3631

From: Smith, Morgan <smith.morgan@co.polk.or.us>

Sent: Monday, November 8, 2021 11:23 AM

To: AJ Foscoli <Manager@fallscityoregon.gov>

Cc: Gordon, Jeremy <gordon.jeremy@co.polk.or.us>

Subject: Re: 2.3 AC parcel in Falls City

I will need to take it to my board for official approval to sell the parcel. If your board is good with the purchase let me know and I'll get it approved on my end. From there, I can draft and prepare a deed.

Morgan

Morgan Smith
Polk County Counsel
Smith.Morgan@co.polk.or.us

(503) 623-8173, ext 1343

(503)623-0896 Fax

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On Mon, Nov 8, 2021 at 11:21 AM AJ Foscoli <Manager@fallscityoregon.gov> wrote:

Comm. Gordon & Morgan,

I'm going to ask for official permission by Falls City Council tonight regarding the 2.3 AC parcel we talked about recently. I believe that they'll approve this action, so please let me know what you will need from us to proceed forward once they approve.

Thank you.

Regards,

AJ Foscoli

City Manager

(503) 787-3631

CODE ENFORCEMENT INVESTIGATION REQUEST

RECEIVED
APR 12 2019
POLK COUNTY
COMMUNITY DEVELOPMENT

VIOLATOR(S) INFORMATION

Resident Name(s): Various
Property Owner: Polk County
Address of Violation(s) between 137 & 149 Sheldon Ave. (no situs address)
City: Falls City State: OR Zip: 97344
Nearest Cross Street: East Ave.

Details of Complaint: (be specific)

Developing homeless camp
Many junk cars, trucks, trailers, campers
Trash piles / some partly burned
Destroyed (exploded?) trailer

ARE THERE ANY KNOWN OR SUSPECTED HAZARDS AT THIS LOCATION?

IE: Dangerous or unstable residences, dogs, criminal activity, etc.

☒ YES ☐ NO ☐ UNKNOWN

If yes, identify hazard in detail:

Constant police visits
Past Federal raid on drug manufacturing activity
Recent report of child abuse filed
Chained up dog
homeless camp

*** Form continues on second page. ***

COMPLAINANT INFORMATION

This section must be filled out.

Name: David & Ann Simmons
Mailing Address: 170 W Ellendale #103-513
City: Dallas State: OR Zip: 97338
Daytime Phone: 503-243-1399

Can violation be seen from the road? ☒ YES ☐ NO some ☒

If not, what is the best inspection point?

Some visible from road, some from neighboring properties

Is the complainant a neighbor of the violator? ☒ YES ☐ NO

If yes, does the complainant give the Code Enforcement Officer permission to use their property for viewing the violation: ☒ YES ☐ NO

Please be advised that the information on the document is public record.

Date: April 9, 2019 Signature: Ann E Simmons

Return Form to:
Polk County Community Development
850 Main Street,
Dallas, OR 97338
(503) 623-9237

FOR OFFICE USE ONLY

File # _____

Received by: _____

Date: _____

Data Processed by: _____

Tax #: T: 8 R: 6 S: 21CA TL: 2302

Zone: CITY OF FALLS CITY

EXECUTIVE SESSION SCRIPT

Executive Session:

[Open Executive Session]

The City Council of Falls City will now meet in executive session pursuant to ORS 192.660(2)(i), which allows the Council to meet in executive session to review and evaluate the performance of an officer, employee, or staff member if the person does not request an open meeting.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed to disclose nothing from the session, except to state the general subject of the session as previously announced. No decision may be made in executive session.

[Conduct City Manager review and evaluation]

[Close executive session]